



DEPARTMENT OF PUBLIC SAFETY

**ANNUAL SECURITY
AND
FIRE SAFETY REPORT
2026**



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A MESSAGE FROM THE COMMANDER OF THE DEPARTMENT OF PUBLIC SAFETY

I am pleased to present the 2026 Gallaudet University Department of Public Safety (DPS) Annual Security and Fire Safety Report. This report is prepared by Public Safety in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and is intended to disseminate important information to the University community. Crime statistics include those reported to local police, DPS, and designated campus officials from the most recent 3 years (2025, 2024, & 2023). With this publication, it is our intent to communicate not only mandatory information, such as crime statistics and fire safety data, but also to inform current students and employees and assist prospective students and their families in the decision-making process of selecting a college or university by describing the many ways in which we strive to keep this community safe.

Our efforts include high-visibility patrols, responding to and investigating on- and off-campus incidents, providing services at a myriad of university events, and increasing student and employee vigilance through crime prevention seminars, workshops, and other activities. The Department of Public Safety is committed to working with the community to achieve our shared goal: a safe, welcoming campus environment.

While we have developed procedures and policies to ensure that students and their possessions are protected as much as possible, it is primarily the responsibility of the student, faculty or staff member to provide for his or her own safety and security by taking simple, common sense precautions, and by reporting information to DPS or other campus security authorities, including the Student Affairs and Resident Life Departments or the Clerc Center.

The University and DPS strive to promote and maintain a campus environment conducive to academic achievement. A truly safe campus can only be achieved through the cooperation of the entire campus community. With your help and participation and our commitment, we are confident that the time you spend with us will be safe and productive.

Sincerely,

Daniel Bauer

Daniel Bauer, Commander
Field Services

GALLAUDET UNIVERSITY

A Unique University

Gallaudet University, chartered by the U.S. Congress in 1864, is the only institution of higher education in the world designed especially to educate and serve Deaf and hard of Hearing people. In addition to its undergraduate and graduate schools and programs offering Bachelor's, Master's, and Doctoral degrees in a variety of fields, Gallaudet University is home to the Laurent Clerc National Deaf Education Center, which includes the Kendall Demonstration Elementary School (KDES) and the Model Secondary School for the Deaf (MSSD). Also, on campus there is a research institute and numerous national and international public service programs.

Gallaudet University receives significant financial support from the U.S. Department of Education. It also relies on private support from its alumni and friends. Although Gallaudet receives substantial federal financial support, it continues to be a private institution.

A Unique Campus

Gallaudet University's 99-acre campus, called Kendall Green, is in the northeast corner of the Nation's Capital and is just minutes away from many famous historical landmarks, museums, theaters, government agencies, airports, and other sites. Many of the buildings located on Kendall Green date back to the late 1800's. Although they have been renovated over the years with the most modern conveniences and technological improvements, each building remains a tribute to the proud history and tradition of Gallaudet. Nine buildings, including the president's residence, are protected by the National Trust for Historic Preservation.

Since its inception, Gallaudet University has endorsed direct visual communication. Students, faculty, teachers, and staff converse easily and freely with one another using American Sign Language. Gallaudet's campus has a small-town feeling. It is a caring environment with a strong sense of community where diversity is respected and embraced.

THE DEPARTMENT OF PUBLIC SAFETY (DPS)

Mission Statement

Our mission, as the Department of Public Safety, is to promote individual responsibility, community commitment, and involvement through dynamic crime prevention initiatives to create a safe, secure, and informed campus community. By the timely communication of current incidents on and about the campus, the community is enabled to make knowledgeable decisions and strategies to protect life and property.

Enforcement and Arrest Authority

Public Safety Officers are on duty 24 hours a day 365 days a year, and patrol the campus on foot, on bicycles, and in marked vehicles. Gallaudet's public safety officers are considered "Special Campus Police Officers" and are commissioned by the District of Columbia. They have the same powers as laws enforcement officers to arrest without a warrant for offenses committed on the Gallaudet campus. They may also arrest outside of Gallaudet if they are in fresh pursuit of an offense committed on campus.

Officers receive training in criminal law, patrol procedures, use of force, investigations, report writing, and more at the Consortium of Universities Public Safety Institute.

Communications Division

The Communications Division of DPS coordinates and supports the events and activities of field personnel from a 24-hour dispatch center located within the department. Dispatchers are certified as Emergency Medical Dispatchers.

Access Control

The Access Control Division is home to the university locksmith. They are responsible for the installation and maintenance of university locks and maintain the campus wide access control software and regulate access levels of students, staff, and faculty throughout campus. They are open during regular business hours Monday-Friday.

Location

The Department of Public Safety is located on the ground floor of Carlin Hall Residential Dormitory; it is open 24 hours a day 365 days a year.

Relationship with the Metropolitan Police Department

The Department of Public Safety works closely and cooperatively with the District of Columbia Metropolitan Police Department (MPD). The MPD assists with specialized, complex investigations on campus and with incidents involving Gallaudet that occur off campus. Metropolitan police are contacted and dispatched to campus in most arrest situations. MPD is also contacted at the request of a complainant or victim. The MPD keeps the Gallaudet University Department of Public Safety updated on criminal activity in the area, and the two departments

work together to keep the Gallaudet neighborhood safe. The MPD also has a liaison unit called the Deaf and Hard of Hearing Unit (DHHU). The unit consists of officers that are fluent in American Sign Language, knowledgeable in Deaf Culture, and are uniquely familiar with the campus community.

Relationship with Neighboring Community

The University is fortunate to have an excellent relationship with its neighboring community. Gallaudet has established a Community Relations Council that meets regularly to discuss issues of mutual concern. This relationship has helped make the area a safer place to learn, work, and live.

Public Safety Services and Security Awareness Programs

The Department of Public Safety offers several programs and services designed to enhance the safety of the community. These programs and services include

- Escort Service to and from a vehicle or building when it is dark
- Personal Safety checks for employees or students who are working or studying late
- Engraved identification of possessions to assist DPS or local police in the event they are stolen or lost.
- Bicycle Registration
- Crime prevention programs, including presentations, public service announcements and brochures.

Reporting Crime and other Emergencies at Gallaudet University

DPS has procedures in place to allow for and facilitate the reporting of criminal offenses in a manner consistent with the requirements of the *Clery Act*. Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents in a timely manner. When a crime is reported, DPS will dispatch an officer to the appropriate location, conduct a preliminary investigation, and prepare a crime report. When appropriate, DPS will investigate the incident further, or forward the crime report to MPD for additional follow-up. As applicable and necessary, DPS will forward crime reports to SARP for student conduct referrals, or to Human Resources for employee conduct referrals. For any reported crime, if assistance is required from MPD, DPS will contact them immediately.

To report a crime, suspicious activity, or emergency occurring on campus, contact DPS immediately:

- 202-651-5555 (Text/Voice)
- 202-651-5445 (Voice Non-Emergency)
- dps@gallaudet.edu (e-mail)
- Use any blue light stanchion throughout campus
- Come directly to DPS on the ground floor of Carlin Hall

To report crimes occurring off campus contact MPD at 911 emergencies and for non-emergencies 311.

Currently the University does not have any off-campus student organizations.

In addition, representatives in the following areas have been identified as “*Campus Security Authorities*” and are available to facilitate making a crime report to DPS

- Any DPS full-time staff-Carlin Hall -- 202-651-5555 or 202-651-5445
- Student Engagement & Leadership -- JSAC Building 202-250-2600
- Residence Life-Ely -- 202-250-2988
- Athletics-Field House -- 202-510-9987
- MSSD Student Life -- 202-250-2152 (VP/VRS)
- MSSD Athletics -- 202-250-2152 (VP/VRS)

If a reported incident manifests evidence of a hate crime or act of intolerance, DPS will coordinate with multiple offices on campus to provide support services, facilitate investigation, and to determine an appropriate response. If a reported incident involves a hate crime, DPS will be responsible for the investigation and possibly refer it to MPD. If a reported incident does not constitute a hate crime but involves an alleged act of intolerance, the incident will be investigated by other designated University officials. For such incidents against students, reports will be forwarded to the Student Accountability & Restorative Practices. Reports against staff will be forwarded to Human Resources, while reports against faculty will be forwarded to the Provost, and/or their respective Dean’s Office. As appropriate and necessary, the Executive Team will be notified to review the incident and determine the appropriate response.

Pastoral and Professional Counselors

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, acting as such, are not considered to be campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. They are encouraged; if they deem it appropriate, to inform people counseled of the procedures to report crimes on a voluntary and confidential basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

Pastoral Counselor: -- An employee of an institution, who is associated with a religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor: -- An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution community and who is functioning within the scope of his or her license or certification.

Voluntary Confidential & Anonymous Reporting

Occasionally, victims of crime wish to report a crime but do not want to give their name and/or do not want to pursue action through criminal justice or university judicial systems.

As allowed by the Clery Act, pastoral and professional counselors who receive confidential reports are not required to report these crimes to the Department of Public Safety for inclusion into the annual disclosure of crime statistics or for the purpose of a timely warning. Please see previous section for description of these positions.

Certain other university departments may accept confidential reports from a victim. The Clery Act, however, requires these departments to report the crime to the Department of Public Safety. This reporting allows the university to maintain accurate records on the number of incidents, determine if there is a pattern of crime regarding a particular location, method or assailant, and alert the campus community of an ongoing threat if needed. The Department of Public Safety will investigate crime that is reported to them.

Timely Warnings

Gallaudet University is responsible for issuing timely warnings in compliance with the Jeanne Clery Act, 20 U.S.C. §1092(f). Timely warnings will be issued in response to reported crimes committed either on campus or, in some cases, off campus that, in the judgment of the University, constitute an ongoing or continuing threat to students and employees.

Anyone with information believed to warrant a timely warning should promptly report the circumstances to the Department of Public Safety by phone or text at (202)-651-5555, by email at dps@gallaudet.edu or in person. The Department of Public Safety will consult, as appropriate and necessary, with other university officials regarding whether a timely warning should be issued. The decision to issue a timely warning shall be made on a case-by-case basis after consideration of the available facts, including factors such as the nature of the crime, the continuing danger or risk to the campus community, and the possible risk of compromising law enforcement efforts. Timely warnings are considered for the following classifications of reported crimes: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Timely warnings may also be issued for other reported crimes as deemed appropriate under the circumstances. The decision will be made in compliance with the Clery Act and to prevent similar crimes from occurring.

When a determination is made that a timely warning should be issued, the Department of Public Safety will take appropriate steps to ensure timely notification of the campus community. Options for notification include, but are not necessarily limited to, the university's mass notification system (desktop alerts or emails), campus wide emails, physical postings, officer notification, and in addition may be posted on the Gallaudet University and Department of Public Safety website. The warnings will include some or all of the following information: the date, time and location of the reported crime; a summary of the incident; a description of the suspect and/or vehicle, if available; and any other special instructions or incident specific safety tips.

DPS recognizes the importance of alerting the campus community to crimes reported on or off campus that may not meet the criteria for a timely warning but still have the potential to impact the campus community. In these situations, which are also evaluated on a case-by-case basis, DPS will release Crime, Safety, and/or Security Alerts that may include physical postings in the impacted campus area, campus wide e-mails, or postings on the DPS website. These alerts will contain a concise summary of the reported incident, directions to contact DPS if there is additional information, and depending on the situation, specific crime prevention or personal security tactics recommended by DPS.

Daily Crime & Fire Log

Gallaudet University's policy is to comply with the Clery Act. As a component of compliance, the Daily Crime & Fire Log is written and updated daily by DPS personnel, and contains information regarding crimes, fires, and other major incidents reported to DPS. The most recent 60 days are available for public inspection during regular business hours at DPS at Carlin Hall.

Security Programs, Services, & Resources

DPS recognizes the key role education plays in generating security-conscious behavior. Security awareness and crime prevention programs are offered in a variety of formats and can be tailored to meet the changing needs of the campus community. Programs are open to any and all campus community members and are scheduled throughout the year. Programs address topics such as sexual assault awareness, crime prevention tactics, and personal safety when on or off campus, but can include a variety of other safety and security information. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Individuals and groups are encouraged to contact DPS to schedule a program, or to visit the Department website at <https://gallaudet.edu/public-safety/> for more information.

In addition to formal training, information is disseminated to students and employees through crime prevention brochures, displays, videos, and articles using various publications.

Listed below are samples of the variety of security awareness and crime prevention programs or services that DPS offers:

Safe Walk: When a student, faculty or staff member feels that that may be uncomfortable walking alone anywhere on campus or walking to their vehicle they may request an escort from an officer or representative from the Department of Public Safety.

Personal Safety Check: If any community member is staying late working or studying anywhere on the campus, they may request that a DPS officer check on their well-being during the time they remain in that area.

Crime Alert Bulletins: When DPS receives a report of a situation in which the campus community may be at special risk due to a crime incident or possible suspect, Public Safety will publish and distribute a crime alert bulletin to notify the campus community as quickly as possible.

Emergency Mass Notification Systems: In the event of an emergency, DPS will employ our all-campus alert systems. The Alertus and Connect mass notification system will send an email as well as capture all computers on campus and activate beacons. Additionally, all community members are encouraged to sign up for the Gallaudet Alert system and update their personal information.

Emergency Call Boxes: Emergency call boxes are located throughout the Gallaudet campus. All these stanchions are marked as emergency call boxes and are also marked by a blue light on top of the stanchions. The buttons are directly connected to our 24-hour Dispatch center and are to be used for emergency responses. These are also monitored by surveillance cameras.

First Aid: All Campus Special Police Officers are trained in the use of C.P.R. and First Aid.

Lost & Found: The University's Lost and Found service is located at DPS. If you have lost an item, you can contact dps@gallaudet.edu or call 202-651-5445.

Operation Identification: In addition to encouraging basic theft prevention through property identification and keeping records of serial numbers and descriptions of valuable items, DPS also offers engraving of personal property, free of charge for all campus community members.

Video Surveillance: Video surveillance cameras are located throughout the Gallaudet campus and assist DPS in the prevention and investigation of crimes on campus.

Emergency & Disaster Response

Immediate (Emergency) Notifications will be issued for all incidents occurring on campus that, in the judgment of the University, constitute an immediate threat to the health and safety of the campus community. Anyone with information believed to warrant immediate notification should promptly report the circumstances to DPS by phone at 202-651-5555 or email at dps@gallaudet.edu, or in person at the ground floor of Carlin Hall. Once information constituting an immediate threat is received, the Commander of Public Safety or designee is authorized to determine whether an emergency exists, and if so, and upon confirmation, to activate the immediate notification procedures. The Commander will attempt to contact the Chief Student Affairs Officer or other senior administrative designee but will not delay notification if they are not immediately available. The Crisis Leadership Team may also be convened and will collaborate as necessary with the Commander or DPS designee. In the event that an emergency is determined, DPS will, without delay and taking into account factors that may compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the incident, notify the campus community by activating either or both of the University's campus alert systems. The Mass Notification System disseminates emergency information to the campus community via concurrent emails, Alertus Beacons throughout campus, and desktop/laptop takeover and is equipped to broadcast announcements throughout the campus. DPS may also collaborate with the Gallaudet Technology Services to post pertinent information on closed circuit television throughout campus. When possible, other notification methods may include utilizing the Emergency Blue lights, person to person message, and orange flags carried by DPS officers on

campus to indicate an emergency with messages to follow and utilizing the fire alarm and strobe light system.

Some threats to the Gallaudet community may require occupants to immediately evacuate buildings or to seek shelter within buildings. Evacuation of buildings will be signaled by activation of the audible/visual fire alarm evacuation systems. The assembly locations have been predetermined and are practiced during evacuation exercises throughout the year. In the event an emergency occurs which dictates safety be sought within university buildings, appropriate information will be announced over the University's Alertus System as well as mass emails and person to person message.

With either emergency scenario, updated instructions and information will be made available to all community members by any or all the above-mentioned methods including Gallaudet University websites and local media announcements.

FIRE SAFETY

Reporting Fire on Campus

Any community member who discovers a fire or other burning on campus should immediately contact DPS at 202-651-5555 text/voice or email dps@gallaudet.edu . DPS will then notify the District of Columbia Fire Department and guide them quickly to the location of the fire. If a community member finds evidence of a fire that has been extinguished, they should also immediately contact DPS to ensure that DPS is aware and has responded to and documented the incident.

Fire Safety Systems

Fire alarms or smoke detectors are installed in every campus building, including residential buildings, and alert the occupants of potential hazards when activated. These alarms are connected to control panels that are monitored 24/7 in the DPS Dispatch Communication Center. Upon activation of a fire alarm, indicated by an audible siren and strobe light, community members must immediately evacuate their building or residence hall's respond to pre-determined evacuation area, exiting through stairwells not elevators (if someone is in the elevator there is a panic button that automatically contacts DPS). Community members should not reenter any building unless authorized to do so by DCFD or DPS personnel, or in some cases, authorized Residential Life Personnel.

Since every building and residence hall is unique, specific evacuation procedures are in place and posted and or/discussed throughout the year. Fire Safety emergency procedures are communicated through residence hall meetings, new student orientation meetings, and by placards detailing evacuation procedures and locations.

Health and Safety Checks

Health and safety checks are an important component to ensure that fire safety systems are in proper working order. The Director Facilities Management completes safety inspections by checking fire extinguishers monthly, sprinkler systems, and kitchen hoods twice yearly, strobes, bells and fire pumps (turned weekly) annually. Fire Drills are conducted monthly in the dormitories at the Clerc Center, and university dormitories are completed quarterly.

Visual inspections by Facilities, Residence Life, and Clerc Center staff specifically seek to identify all possible fire, safety, and health hazards within residential facilities. Such fire hazards include, but are not limited to, burning incense, burning candles, halogen lamps, exposed heating elements, personal barbecues, and flammable liquids and solvents (i.e. gasoline, kerosene, lighter fluid, propane, etc.). Such items are strictly prohibited in and around any living area, as outlined in the Student Handbook and reviewed and signed by all residents at time of check-in. Smoking and the use of any tobacco products, including hookahs, are also always prohibited in all residence hall areas. Gallaudet University remains a smoke-free environment with 2 designated smoking areas if campus community members choose to smoke.

Additional fire safety components that are addressed in these inspections include ensuring that fire-rated, emergency exits are not propped up open or tampered with, and any misuse and/or tampering of fire equipment (i.e. fire alarms, smoke detectors, fire extinguishers or hoses) has not occurred.

Inspections of safety and health standards in residence halls may include assessments of general room cleanliness, proper use of furniture (i.e. stacked bunks, closet doors, etc.) and properly secured window screens, among other expectations further detailed in the Student Handbook. Students found in violation of these standards may be referred for possible disciplinary action.

Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions; DPS regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to the Facilities Department for correction. Other members of the university community are helpful when they report equipment problems to DPS or the Facilities Department.

ACCESS TO CAMPUS FACILITIES

Academic and Administrative Buildings

Gallaudet University is private university, but buildings and facilities do remain open during regular business hours. Most facilities have individual hours, and hours may vary at different times of the year. Access to some of these buildings is also controlled by card access after normal business hours, and all these buildings have varied levels of access. Buildings do not have officers assigned to them on a regular basis; DPS officers patrol the academic and administrative buildings on a regular basis. For more information, please contact the Access Control Department, building manager, or department head.

Residence Halls

Access to residence halls is restricted to residents, their approved registered guests, and other approved members of the university community. Residents gain entry by waving their cards near the card reader. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their own access cards. DPS officers patrol the residence halls regularly.

Coordinator of Residence Educators (CRE) and residence Life staff also enforce security measures in the halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. CRE's and Residential Life staff also conduct periodic educational sessions on prevention of various crimes, including sexual assault.

IMPORTANT EMERGENCY CONTACTS

Public Safety -- DPS Officers/Administrators: Non-Emergency 202-651-5445-v or 202-651-5555 or 202-651-5444 by text or dps@gallaudet.edu. Open 24-hours X 365-days.

Emergency, Ambulance, Fire, Explosion, or chemical spill-202-651-5555 or dps@gallaudet.edu

Gallaudet University Counseling and Psychological Services (CAPS)

202-250-2300 VP/202-651-6080

M-F 9am to 4pm

Student Health Services

202-921-6211 VP/202-651-5090 V

Business hours - M-F 8:00 AM-4:30 PM / Saturday 10am to 2pm

Facilities Department

202-250-2560 VP/202-651-5181 V

NOTIFICATION FOR MISSING STUDENTS

If a member of the university community has reason to believe that a student is missing, whether the student resides on campus, that individual should contact the University's Department of Public Safety at 202-651-5555 text/voice or email dps@gallaudet.edu. DPS will collaborate with Student Life, other university officials, and/or the appropriate law enforcement agency to try to locate the student and determine their state of health and well-being. Public Safety will gather pertinent information about the student from the reporting person or others. Such information may include but is not limited to the student's description, mobile number, clothes last worn, vehicle description, information about the student's health or well-being, or an up-to-date photograph.

University officials also will endeavor to determine the student's whereabouts by contacting friends, associates, faculty members, and/or employers of the student, and/or determining whether the student has been attending classes, scheduled organizational or academic meetings, and work. If the student is an on-campus resident, DPS officers may make a welfare entry into the student's room. If the student resides off-campus, DPS may enlist the aid of the neighboring police agency having jurisdiction.

For residential students and for students who live off-campus, notices will be made to each of the following individuals within 24 hours of Public Safety's determination that the student is missing:

- The student's parent or guardian. The university is required by law to notify the student's custodial parent or guardian if the student is under age 18 and is not emancipated at the time they are determined to be missing. If the student is aged 18 or over, notification may be provided to the student's parent or guardian, in addition to any other person identified as the student's designated emergency contact.
- Local law enforcement personnel
- The student designated emergency contact (if any). Students are given the opportunity through Blackboard to designate an individual to be contacted by the university if the student is determined to be missing or otherwise in the case of an emergency. The designation will remain in effect until changed or revoked by the student. The contact information will be confidential and will be accessible only to authorized university officials or law enforcement personnel.

After the student has been located, DPS will attempt to verify the student's state of health, well-being, and intention of returning to campus. When and where appropriate, a referral may be made to the Counseling & Psychological Services, Student Health Services, and/or a community provider.

Stop Campus Hazing Act

The Stop Campus Hazing Act (SCHA), enacted on December 23, 2024, amended the Jeanne Clery Campus Safety Act to establish new requirements related to hazing at institutions of higher education. Beginning with the 2026 Annual Security Report, institutions are required to disclose statistics concerning hazing incidents occurring within Clery geography and to include information regarding hazing policies, reporting and investigation procedures, and hazing prevention and awareness programs.

Hazing Policy and Definitions

Gallaudet University prohibits hazing and maintains a Hazing Policy that establishes prohibited conduct and the University's procedures for responding to reports of hazing.

For purposes of Clery Act reporting, hazing means any intentional, knowing, or reckless act committed against a person, regardless of the person's willingness to participate, that occurs during initiation, affiliation, or maintenance of membership in a student organization and causes or creates a risk of physical or psychological injury above the reasonable risk encountered at the institution of higher education or the organization.

For purposes of the SCHA, a student organization means an organization at an institution of higher education in which two or more of the members are students enrolled at the institution.

Gallaudet's Hazing Policy may prohibit conduct that is broader than the federal definition of hazing used for Clery reporting purposes. The federal definition is used to determine which reported incidents are included in the University's Annual Security Report statistics.

Reporting and Response to Hazing

Hazing may be reported to Student Accountability and Restorative Practices or the Department of Public Safety. Reports may also be submitted through Gallaudet University's designated reporting mechanisms.

Upon receipt of a hazing report, the University reviews the information to determine the appropriate response, including whether the reported conduct falls within the University's Hazing Policy and whether the incident meets the federal definition of hazing for Clery reporting purposes.

Hazing incidents reported to a Campus Security Authority or local law enforcement that meet the federal definition of hazing and occur within Clery geography are included in the University's Annual Security Report statistics, as required by federal law. Inclusion in the Annual Security Report does not indicate that a finding of responsibility has been made.

Hazing Prevention and Awareness

Gallaudet University conducts hazing prevention and awareness programs for students, faculty, and staff. These programs address the University's Hazing Policy, recognizing and reporting hazing, bystander intervention, ethical leadership, and strategies for building group cohesion without hazing.

Examples of Gallaudet's hazing prevention and awareness efforts include:

Program/Initiative	Audience	Prevention/Awareness Focus	Frequency
Online Hazing Prevention Training	All incoming and current Greek-affiliated members	Hazing prevention, recognition and reporting, organizational responsibility, and bystander intervention	Upon joining and annually
New Student Orientation	New students	Hazing awareness, University policy, and reporting resources	Annually
Student Organization Education	Student organization members and leaders	Hazing prevention, organizational responsibility, and reporting	Annually and ongoing
Bystander Intervention Education	Students	Recognizing concerning behavior and strategies for intervention	Ongoing

Gallaudet's hazing prevention efforts involve collaboration among campus partners, including Student Engagement and Leadership and Student Accountability and Restorative Practices.

Hazing Statistics

Gallaudet University reports hazing statistics in accordance with the Clery Act and the federal definition of hazing. The University's Annual Security Report includes the number of reported hazing incidents occurring within Clery geography for the three most recent calendar years for which data are available.

Campus Hazing Transparency Report

The Campus Hazing Transparency Report (CHTR) is separate from the Annual Security Report. The CHTR summarizes findings concerning established or recognized student organizations found responsible for violations of the University's standards of conduct relating to hazing.

As required by federal law, the CHTR includes the name of the student organization, a general description of the hazing violation, any sanctions imposed, and the date of the incident. Gallaudet

updates the CHTR twice each year. More information is available in Gallaudet University's Campus Hazing Transparency Report.

SEXUAL HARASSMENT AND MISCONDUCT POLICY

Gallaudet University is committed to maintaining an educational and employment environment free from sex discrimination, sex-based harassment, and retaliation for engaging in protected Title IX activity. Gallaudet prohibits discrimination based on sex and prohibits sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking.

Gallaudet's policies and procedures are designed to provide options for reporting concerns, access to supportive measures and resources, and fair and equitable processes for addressing reports of prohibited conduct. This section describes the University's prohibited conduct, scope and applicability, reporting options and procedures, supportive measures, resolution processes, sanctions and remedies, appeals, and prevention and awareness programs.

Questions regarding Title IX, reports of sex discrimination or sex-based harassment, and concerns regarding compliance with Title IX may be directed to the University's Title IX Coordinator or Deputy Title IX Coordinator(s). Contact information and reporting options are provided below.

Scope

This Policy applies to faculty, teachers, staff, students, and guests participating in or attempting to participate in Gallaudet University and/or Clerc Center education programs or activities, including employment.

Policy

It is the policy of Gallaudet University to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex in education programs and activities that receive federal financial assistance.

This Policy and related University policies protect members of the Gallaudet and Clerc Center communities from sex discrimination, including discrimination based on gender identity or expression; sex-based harassment; sexual assault; sexual misconduct; interpersonal violence, including dating violence and domestic violence; stalking; and discrimination based on pregnancy.

The University has designated offices and officials responsible for receiving reports, providing supportive measures and resources, coordinating appropriate responses, and overseeing resolution processes under applicable University policies. Depending on the nature and circumstances of a report, responsibility for responding to and resolving a matter may involve the Office of Equal Opportunity Programs and Title IX, Student Accountability and Restorative Practices (SARP), or the Clerc Center.

Title IX and Sexual Misconduct Contacts and Resources

Students and employees may contact the individuals and offices listed below to report sexual misconduct, discuss available options, obtain supportive measures, learn about university policies and procedures, or connect with resources.

Title IX Coordinator

Dr. Jesus Remigio
University Title IX Coordinator
Office of Equal Opportunity Programs
Peet Hall #402
V/VP 771-255-8343]
jesus.remigio@gallaudet.edu
www.gallaudet.edu/titleix
Deputy Title IX Coordinator for Students

Amy Rousseau
Director, Student Accountability and Restorative Practices
Deputy Title IX Coordinator for Students
Ely Center 103
800 Florida Avenue, NE
Washington, DC 20002
(202) 759-5598 (VP)
amy.rousseau@gallaudet.edu
www.gallaudet.edu/titleix

Title IX Investigator for Students

Larissa Baer
Sexual Misconduct Response and Prevention Coordinator
Student Accountability and Restorative Practices (SARP)
Ely Center 103
[Current telephone/VP number]
Larissa.baer@gallaudet.edu
www.gallaudet.edu/titleix

SARP receives and responds to reports involving student conduct and sexual misconduct, provides information about university processes and available options, coordinates supportive measures as appropriate, and conducts prevention and educational programming.

Title IX Investigator for Clerc Center

Bo Acton
Deputy Title IX Coordinator for Clerc Center
MSSD, Room 214F
Gallaudet University

800 Florida Avenue, NE
Washington, DC 20002
(202) 250-2798 (videophone/voice)
bo.acton@gallaudet.edu

Other On-Campus Resources

Community members may also contact the following University resources for information, support, assistance, or referrals:

- Health and Wellness Programs
- Residence Life and Housing
- Multicultural Student Program
- Department of Public Safety

Some resources may provide confidential assistance, subject to applicable laws and University policies.

Confidential Resources

Gallaudet has designated certain University employees and offices as Confidential Resources. Confidential Resources do not share personally identifying information with the Title IX Coordinator or the University without the individual's consent, except as required or permitted by law.

Speaking with a Confidential Resource does not, by itself, initiate a Title IX investigation or University resolution process.

Student Health Services

Student Health Services
Peter J Fine Health Center #102
Email – shs@gallaudet.edu
VP-202-921-6211, V-202-651-5090

Student Health Services provides medical care, support, and referrals. Student Health Services does not conduct sexual assault forensic examinations. Individuals seeking a sexual assault forensic examination may access the District of Columbia Forensic Nurse Examiners through the DC Victim Hotline, as described below.

Counseling and Psychological Services

Counseling and Psychological Services (CAPS)
Kellogg Conference Hotel 3203
(202) 651-6080 (VP)

202-250-2300

caps@gallaudet.edu

CAPS provides confidential counseling and psychological services to students. CAPS follows applicable confidentiality laws and professional ethical requirements, subject to limited exceptions required by law or applicable safety obligations.

Office of Campus Ministries

Ely Center 114–118

(202) 651-5102 V

bruce.persons@gallaudet.edu

Provides confidential counseling, crisis management, and referrals. The Office of Campus Ministries is a designated Confidential Resource and can provide confidential support and assistance, subject to applicable legal and policy exceptions.

Employee Assistance Program

Employee Assistance Program (EAP)

Phone: 800-607-1522

Website: MyLifeExpert.com

Company Code: GALLAUDET

Availability: 24 hours a day, 7 days a week Cost with no cost to employees.

The Employee Assistance Program is a designated Confidential Resource for employees and provides confidential assistance and referrals, subject to applicable legal and policy exceptions.

Off-Campus Confidential and Community Resources

Individuals may seek confidential assistance from off-campus resources regardless of whether they report to Gallaudet University or law enforcement. Off-campus resources may provide advocacy, counseling, medical care, crisis intervention, legal assistance, and information about reporting options.

Deaf Abused Women's Network (DAWN)

DAWN

5321 First Place NE

Washington, DC 20011

202-559-5366 (VP)

hotline@deaf dawn.org

info@deaf dawn.org

www.deaf dawn.org

DAWN provides culturally and linguistically accessible services for Deaf, DeafBlind, and Hard of Hearing survivors of domestic violence, sexual assault, stalking, and related forms of abuse.

DC Victim Hotline / DC Forensic Nurse Examiners

DC Victim Hotline
844-4HELP-DC (844-443-5732)
Call or text

The DC Victim Hotline can connect individuals with the DC Forensic Nurse Examiners for a confidential medical forensic examination following sexual assault. Exams are provided in Washington, D.C., including through MedStar Washington Hospital Center.

MedStar Washington Hospital Center

Emergency and Medical Care
110 Irving Street NW
Washington, DC 20010
202-877-7000

Individuals seeking immediate emergency medical care should call 911 or go to the nearest hospital emergency department. Individuals seeking a sexual assault forensic examination should request connection to the DC Forensic Nurse Examiners.

DC Rape Crisis Center

DC Rape Crisis Center
[Current address]
202-232-0789
24-hour hotline: 202-333-RAPE (7273)
www.dcrcc.org

Network for Victim Recovery of DC

NVRDC
5321 First Place NE
Washington, DC 20011
202-742-1720
www.nvrdc.org

NVRDC provides advocacy and support services to crime victims in the District of Columbia.

Metropolitan Police Department – Deaf and Hard of Hearing Liaison Unit

MPD Deaf and Hard of Hearing Liaison Unit
801 Shepherd Street NW
Washington, DC 20011
202-698-0289
mpd.dhhu@dc.gov

For immediate police assistance, call 911.

DeafLEAD

Videophone Crisis Line: 321-800-3323
Text: HAND to 839863
deafled.org

DeafLEAD provides crisis intervention, advocacy, case management, mental health support, and interpreting services for Deaf, Hard of Hearing, DeafBlind, and Late-Deafened survivors of domestic violence, sexual assault, trafficking, and other crimes. Its Deaf Crisis Line provides 24/7 crisis support in ASL.

RAINN National Sexual Assault Hotline

1-800-656-HOPE (4673)
rainn.org

RAINN provides confidential crisis support, information, and referrals.

National Domestic Violence Hotline

National Domestic Violence Hotline
1-800-799-SAFE (7233)
www.ndvh.org

The National Domestic Violence Hotline provides confidential support, safety planning, information, and referrals.

Emergency and Medical Assistance

Individuals who experience sexual misconduct are encouraged to seek medical attention and support regardless of whether they choose to report to Gallaudet or law enforcement.

Individuals seeking a sexual assault forensic examination in the District of Columbia may contact the DC Victim Hotline at 844-4HELP-DC (844-443-5732) to request a confidential medical forensic examination through the DC Forensic Nurse Examiners.

Gallaudet Student Health Services can provide non-emergency medical care, support, and referrals but does not conduct sexual assault forensic examinations.

If an individual needs financial assistance with transportation to obtain emergency medical care or a forensic examination, they may contact the Department of Public Safety for assistance.

Notice of non-discrimination

Consistent with the University's Discrimination Policy, the University does not unlawfully discriminate against any person in any of its education or employment programs and activities, including admissions, on any basis prohibited by federal law, the District of Columbia Human Rights Act or other applicable law, including on the basis of sex or gender, and it does not tolerate discrimination or harassment on the basis of sex or gender. The university complies with Title IX of the Education Amendments of 1972 ("Title IX"), which prohibits discrimination on the basis of sex in the university's programs and activities; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), which, with Title IX, governs this Policy related to the university's response to sexual assault, dating violence, domestic violence and stalking; Title VII of the Civil Rights Act of 1964 ("Title VII"), which prohibits discrimination on the basis of sex in employment; the District of Columbia Human Rights Act; and other applicable law.

Concerns about the University's application of Title IX may be addressed to the University's Title IX Coordinator (at jesus.remigio@gallaudet.edu), the United States Department of Education, Clery Act Compliance Division (at clery@ed.gov); the United States Department of Education, Office for Civil Rights (at OCR@ed.gov or 800-421-3481); and/or the Equal Employment Opportunity Commission (at info@eeoc.gov or 800-669-4000) (for employee-on-employee conduct).

Prohibited Conduct

1. Sex Discrimination

Sex discrimination is discrimination based on sex, including discrimination based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and other forms of discrimination prohibited by applicable law.

Sex Discrimination may include, but is not limited to:

- Unequal treatment based on sex;
- Denial of educational, employment, or participation opportunities based on sex;
- Disparate treatment in admissions, hiring, promotion, compensation, benefits, grading, discipline, housing, athletics, or other University programs or activities;
- Retaliation for reporting or participating in the investigation of sex discrimination; and
- Sex-Based Harassment.

If a violation of a university policy is based on sex, it may be addressed as sex discrimination.

2. Sexual Harassment

Sex-based Harassment is a form of sex discrimination addressed by The Title IX Sexual Harassment Grievance Procedure (EOP.03) that satisfies one or more of the following:

1) Quid Pro Quo

- a. an employee,
- b. explicitly or impliedly conditions the provision of an aid, benefit, or service of the University or Clerc Center, on a person's participation in unwelcome sexual conduct.

2) Hostile Environment Harassment

- a. unwelcome sex-based conduct
- b. Determined by a reasonable person
- c. To be so severe, pervasive, and objectively offensive
- d. that it effectively limits or denies a person equal access to the University's or Clerc's education program or activity.

3. Sexual Assault

- rape
- penetration, no matter how slight,
- of the vagina or anus,
- with any body part or object, or
- oral penetration
- Of a sex organ of the Complainant, or
- by the respondent's sex organ, or
- By a sex-related object
- without the consent of the complainant

Fondling

- The intentional touching of the clothed or unclothed private body parts of the complainant (buttocks, groin, breasts), for the purpose of sexual gratification, sexual degradation, or sexual humiliation without the consent of the Complainant, or
- the respondent caused or directed the complainant's intentional touching of the respondent's clothed or unclothed private body parts, without the consent of the complainant
- For sexual gratification, sexual degradation, or sexual humiliation.

Incest

- Sexual intercourse, between people who are related to each other, within the degrees wherein marriage is prohibited by Washington D.C. law.
- Statutory Rape

- Sexual intercourse, with a person who is under the statutory age permitted by D.C. law to consent.

4. Dating Violence

- violence
- committed by a person,
- who is in or has been in a social relationship of a romantic or intimate nature with the complainant.

The existence of such a relationship shall be determined based on the complainant's statement and consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship. For the purposes of this definition

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Dating violence does not include acts covered under the definition of Domestic Violence.

5. Domestic Violence, defined as:

- Violence,
- committed by a current or former spouse or intimate partner of the Complainant,
- by a person with whom the Complainant shares a child in common, or
- by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Washington D.C., or
- by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Washington D.C.

6. Stalking

- engage in a course of conduct,
- based on sex,
- directed at the Complainant, that
- would cause a reasonable person to fear the person's safety or the safety of others; or
- suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Sexual Misconduct

Sexual Misconduct means sexual or intimate conduct prohibited by university policy that:

1. Does not satisfy the definition of Title IX Sexual Harassment;
2. Does not meet the jurisdictional requirements for resolution under the University's Title IX Sexual Harassment Grievance Process; or
3. Is otherwise designated by university policy for resolution through the SThe University's Sexual Misconduct Grievance Procedure (EOP.04).

Sexual Misconduct includes the following:

1) Sexual Exploitation:

- a person taking non-consensual or abusive sexual advantage of another, that does not constitute Sex-based Harassment as defined above,
- for their own benefit or for the benefit of anyone other than the person being exploited.

Examples of Sexual Exploitation include, but are not limited to: recording, photographing, or transmitting sexual photos, sounds, images, or other information; voyeurism; indecent exposure; prostituting or soliciting another person; inducing incapacitation to commit acts of sexual misconduct; knowingly exposing another person to sexually transmitted infection (STI) or human immunodeficiency 9 virus (HIV).

2) Retaliation

Retaliation means intimidation, threats, coercion, discrimination, harassment, or any adverse action taken against an individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has:

- Reported or made a complaint of Sex Discrimination, Title IX Sexual Harassment, Sexual Misconduct, or other conduct prohibited by this policy;
- participated, or declined to participate, in any investigation, grievance process, hearing, resolution process, or other proceeding under this policy;
- assisted, supported, or encouraged another individual in exercising rights under this Policy; or
- opposed conduct reasonably believed to violate this policy.

Retaliation may occur through direct or indirect actions and may be committed by students, employees, third parties, or any other person subject to this Policy.

Examples of Retaliation may include, but are not limited to:

- Threats, intimidation, or coercion;
- harassment or bullying;
- unjustified negative employment or academic actions;
- exclusion from programs, activities, opportunities, or benefits;
- attempts to discourage reporting or participation in a process under this Policy; or
- actions that would deter a reasonable person from reporting prohibited conduct or participating in a proceeding under this Policy.

The University prohibits Retaliation and will take appropriate action to address and remedy Retaliation. A finding of responsibility for the underlying allegation is not required to establish a violation of this Retaliation provision.

It is not retaliation for the University or Clerc to pursue Policy violations against those who make materially false statements in bad faith during a resolution under A&O 3.02. However, the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

Consent, Force, and Incapacitation

As used in this policy, the following definitions and understandings apply:

Consent means a knowing, voluntary, and mutual agreement to engage in specific sexual activity.

Consent must be:

- **Affirmative** — communicated through clear words or actions;
- **Informed** — based on an understanding of the nature of the activity;
- **Freely given** — not obtained through force, threat, coercion, intimidation, or manipulation; and
- **Specific** — limited to the sexual activity and may not be presumed for any other activity.

Consent may be withdrawn at any time. Once withdrawn, all sexual activity must stop immediately.

Consent cannot be established by:

- Silence, passivity, or lack of resistance;
- Prior dating, romantic, or sexual relationships;
- Consent to one sexual act as consent to another act;
- Consent given at one time as consent for future sexual activity; or
- Incapacitation of the individual.

Consent cannot be given by a person who is:

- Incapacitated due to alcohol, drugs, unconsciousness, sleep, or other conditions affecting decision-making ability; or
- Otherwise, unable to understand the nature of the act or communicate an unwillingness to participate.

Consent must always be voluntary and mutual; the presence of force, threat, or coercion negates consent.

Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

Force and Coercion

Force is the use of physical violence and/or physical imposition to gain sexual access. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Force is conduct that, if sufficiently severe, can negate consent.

Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me. I’ll do what you want.”).

Coercion is unreasonable pressure for sexual activity. Coercive conduct, if sufficiently severe, can render a person’s consent ineffective, because it is not voluntary. When someone makes clear that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. Coercion is evaluated based on the frequency, intensity, isolation, and duration of the pressure involved.

Force or Coercion, as defined herein, negates Consent.

Incapacitation

Incapacitation is a state where a person is incapable of giving consent. An incapacitated person cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, and how” of their sexual interaction).

A person may be incapacitated due to a variety of factors, including but not limited to:

- Alcohol or drug use (voluntary or involuntary);
- unconsciousness or sleep;
- physical or cognitive disability or impairment;
- medical conditions or treatment effects;
- shock, trauma, or other psychological conditions; or
- any other condition that materially impairs a person’s ability to give knowing and voluntary consent.

A person is incapacitated when they cannot give consent, even if they appear to be conscious or engaged in some activity.

Incapacitation is determined through consideration of all relevant indicators of a person's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

If the respondent neither knew nor should have known the complainant to be physically or mentally incapacitated, the Respondent is not in violation of this Policy. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Age of Consent

Gallaudet University and the Clerc Center follow the laws of the District of Columbia concerning sexual activity, including regulations regarding age of consent and the age differences between participants in consensual sexual activities. Specifically, in the District of Columbia, the age of consent for sex is 16 years old. The exception to the age of consent law is if the individuals involved in sexual activity are both minors (younger than 18 years old) and close in age (less than four years apart). While the Clerc Center is in session or while Clerc Center students are under the care of the Clerc Center, all types of sexual activity, on or off campus, are prohibited. Clerc Center students who engage in sexual activity receive consequences outlined in their school Parent-Student Handbook. Consequences differ for sexual activity determined to be consensual than for sexual activity determined to be nonconsensual. A student who engages in sexual activity that violates the District of Columbia age of consent law and/or without the effective consent of the other individual is committing a crime and may be prosecuted.

The Impact of Alcohol or Other Drugs on Consent

The use of alcohol or other drugs can have unintended consequences. Alcohol or other drugs complicate the situation further and can place the capacity to consent into question when compared with sober sexual activity. The University considers sexual contact while under the influence of alcohol and other drugs to be risky behavior. Alcohol and drugs impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. An individual who is physically incapacitated because of alcohol or drug consumption (voluntary or involuntary), or who is unconscious or otherwise physically helpless, is incapable of giving consent. Individuals who consent to any form of sexual activity must be able to understand what they are doing. "No" always means "No", but "Yes" may not always mean "Yes". Anything but effective consent to any sexual activity is equivalent to a "No".

District of Columbia Definitions

Dating Violence. Under District of Columbia law, dating violence means abusive or coercive behavior where a dating partner uses threats of, or uses, physical, emotional, economic, technological, or sexual abuse to exert power or control over a current or former dating partner. A dating partner is a person who is involved in a relationship with another person that is primarily

characterized by social interaction of a sexual, romantic, or intimate nature, whether casual, serious, or long-term. D.C. Code § 38-952.01.

Domestic Violence for purposes of the Clery Act, domestic violence means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the District of Columbia; or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the District of Columbia.

Sexual Assault. Under District of Columbia law, sexual assault includes first-degree sexual abuse, second-degree sexual abuse, third-degree sexual abuse, fourth-degree sexual abuse, misdemeanor sexual abuse, and attempts to commit sexual offenses. D.C. Code § 38-952.01. For purposes of Clery Act crime statistics, sexual assault is defined as an offense that meets the federal definitions of rape, fondling, incest, or statutory rape.

Stalking for purposes of the Clery Act, means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to, following, monitoring, observing, surveilling, threatening, or communicating to or about a person, or interfering with a person's property.

Consent under District of Columbia law, consent means words or overt actions indicating a freely given agreement to the sexual act or contact in question. Lack of verbal or physical resistance or submission by the victim, resulting from the use of force, threats, or coercion by the defendant, does not constitute consent. D.C. Code § 22-3001.

REPORTING SEXUAL HARASSMENT/MISCONDUCT

The University encourages all individuals to promptly report sexual harassment and sexual misconduct to the Title IX Coordinator and law enforcement.

A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Under limited circumstances, when there is a threat to the health or safety of any individual, or when required by applicable law, the University may independently notify law enforcement.

Reports and Formal Complaints

Anyone who experiences or learns of possible sexual harassment or misconduct can make a report to the University.

A report provides Notice of an allegation or concern of sexual harassment or misconduct so that the Title IX Coordinator can reach out to offer information, resources, and supportive measures.

If a Complainant wants the University to begin an investigation or other appropriate resolution process, then they must file a Formal Complaint. Someone can first make a report and decide later to file a Formal Complaint. Making a report does not require filing a Formal Complaint.

Reports or Formal Complaints may be made by:

Contacting the Title IX Coordinator by phone, email, or mail.

Using the University's online reporting form — one for students and another for employees, visitors, and other community members.

A Formal Complaint means a written or electronic document (such as an email or online submission) that is signed or otherwise clearly submitted by the Complainant, asking the University to investigate the allegations. If a report is received but does not meet this definition, the Title IX coordinator will contact the Complainant to confirm whether they wish to proceed.

The University generally honors a Complainant's choice not to file a Formal Complaint. However, in some cases, such as repeated behavior, serious allegations, or safety risks, the University may need to start an investigation or take other action. The University will respect the Complainant's privacy as much as possible and will still offer supportive measures whether a Formal Complaint is filed.

Within any resolution process related to this policy, Gallaudet University provides reasonable accommodations to people with disabilities and religious accommodation, when that accommodation is consistent with state and federal law.

Anonymous Reports

Anonymous reports are accepted, but they may limit the University's ability to investigate or provide support if identifying information is not provided.

There is no time limit for reporting alleged sexual misconduct, provided the University maintains jurisdiction over the Respondent as defined in the scope of this Policy. The version of the Policy in effect at the time of the alleged conduct will apply.

The University strongly encourages community members and third parties to report alleged sexual misconduct as promptly as possible. Timely reporting allows the University to respond promptly and effectively, offer a broader range of supportive measures, and conduct a more thorough and reliable review.

Delays in reporting may limit the availability of information or witnesses and may affect the University's ability to enforce this policy. If the respondent is no longer a student or employee at the time of the report, the University's ability to complete the process or impose disciplinary action may be limited. However, the University will still take steps to:

- Provide supportive measures to the Complainant;
- End any prohibited conduct;
- Prevent its recurrence; and
- Address its effects on the community.

The University may also assist the Complainant in identifying external reporting options and provide other support as appropriate.

Duty to Report

With limited exceptions, all employees, including student-employees, are Mandated Reporters. Mandated Reporters are required to promptly report all known details of actual or suspected sex discrimination, sex-based harassment, and/or retaliation to the Title IX Coordinator. University members who have a duty to report sexual harassment may be subject to discipline or corrective action for failing to fulfill this obligation.

Mandated Reporters do not include those employees designated as confidential employees and those conducting human subjects research as part of a study approved by Gallaudet University's Institutional Review Board.

Confidential Resources

Certain University employees and offices are designated as "Confidential," meaning they will not share personally identifying information with the Title IX Coordinator or the University without the individual's consent. Speaking of these resources will not trigger a report to the Title IX Coordinator. The University's Confidential Resources include:

- Student Health Services
- Counseling and Psychological Services
- Employee Assistance Program
- Office of Campus Ministries

RETALIATION

The University does not allow retaliation against anyone who reports sexual harassment, helps with a report, or takes part in an investigation.

Retaliation means negative actions like threats, intimidation, harassment, or discrimination that happen because of someone:

- Reported or opposed harassment,
- Helped with a complaint,
- Refused to participate in a complaint process, or
- Opposed what they reasonably believed was sexual harassment.

For it to be considered retaliation, the behavior must be serious enough to discourage a reasonable person from reporting or participating.

Charging an individual with a Policy violation for making a materially false statement, in bad faith, during the University's complaint process or in response to a complaint does not constitute retaliation.

AMNESTY

Mandatory Amnesty

1. *Amnesty for Substance Use and Related Conduct:* A student or witness who reports an incident of sexual misconduct to the University or to local or federal law enforcement shall not be subject to a disciplinary proceeding or sanction for voluntary use or possession of illegal drugs or alcohol, or for consensual sexual activity, that occurred immediately preceding, during, or immediately following the incident of sexual misconduct, unless the University determines that the report was not made in good faith or that the violation put at immediate risk the health and safety of other individuals.
2. *Broader Protection for Consensual Sexual Activity:* In addition to the protections in paragraph one above, the University shall not take disciplinary action against any student for consensual sexual activity, whether related to the reported incident or unrelated, that is revealed during an investigation of sexual misconduct, regardless of when such activity occurred. This protection applies even if consensual sexual activity did not occur immediately before, during, or after the reported incident and is not subject to the good faith or health and safety exceptions in paragraph one.

Discretionary Amnesty for Other Violations

In addition to the mandatory protections described above, the University may offer amnesty for other minor policy violations that occurred at or near the time of the incident to those who report sexual misconduct in good faith or who participate as witnesses in sexual misconduct proceedings, in compliance with university policies. Amnesty under this discretionary provision does not apply to serious violations such as conduct that poses a significant threat to community safety. Decisions regarding discretionary amnesty will be made on a case-by-case basis consistent with relevant University policies.

Educational and Supportive Measures

While disciplinary action will not be taken for violations covered by this amnesty policy, the University may provide education, support, or other non-disciplinary follow-up as appropriate to promote student wellbeing and community safety.

When Amnesty Does Not Apply

If Gallaudet determines that a report was not made in good faith or that the related conduct posed an immediate risk to the health and safety of others, then the amnesty protections under this section do not apply.

SUPPORTIVE MEASURES, EMERGENCY REMOVAL & ADMINISTRATIVE LEAVE

Supportive Measures

When the University receives a report or Formal Complaint of discrimination, harassment, retaliation, or other prohibited conduct, it will offer supportive measures to those involved. Supportive measures are non-disciplinary, non-punitive services designed to help individuals continue to access the University's programs and activities safely. These measures are offered free of charge and are based on the needs and wishes of the individuals involved.

Examples of supportive measures include:

- Referrals to counseling, medical, or community resources
- Changes to class schedules, housing, or work arrangements
- Academic or workplace support and deadline extensions
- Safety planning, campus escorts, or transportation assistance
- No-contact directives or other protective steps
- Increased monitoring or security where needed

Supportive measures are available whether a Formal Complaint is filed. The University will explain in writing that a Formal Complaint can be filed at any time. The University will also keep supportive measures confidential as much as possible while still providing them effectively.

The University will work to minimize any academic or work impact and will not impose measures that unreasonably burden another person. Violations of non-contact orders or other restrictions may lead to disciplinary action.

Emergency Removal and Administrative Leave

Student Respondents

The University may remove a student respondent from its education program or activities on an emergency basis if an individualized safety and risk assessment determines that the student poses an immediate threat to the physical health or safety of any University community member. This assessment is conducted by the Behavioral Intervention Team using standard risk assessment procedures.

A student subject to emergency removal will be provided with notice and an opportunity to challenge the decision promptly following the removal. Failure to request this meeting in a timely

manner will result in a waiver of any objections. The Complainant and their Advisor may be permitted to participate in the meeting if the Title IX Coordinator determines it is equitable.

The student may be accompanied by an Advisor of their choice and will receive a written summary of the basis for the removal prior to the meeting to allow adequate preparation. The Title IX Coordinator has sole discretion to implement or stay an emergency removal and to determine its conditions and duration. Violation of an emergency removal may result in disciplinary action, up to and including expulsion.

Employee Respondents

Employees are subject to existing University procedures for interim actions or administrative leave.

NONPARTICIPATION, WITHDRAWAL OR RESIGNATION WHILE CHARGES PENDING

Students

If a student has an allegation pending for violation of the Policy, Gallaudet may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent graduate or permanently withdraw from Gallaudet, the resolution process ends, as Gallaudet no longer has disciplinary jurisdiction over the withdrawn student.

If a student Complainant takes academic leave of absences or withdrawal with an express intention to register for courses as usual at the end of the leave period or beginning of the next semester, respectively, a pending matter may remain open at the University's discretion. If a student Complainant permanently withdraws during a pending matter, it will be dismissed.

Employees

Should an employee respondent resign with unresolved allegations pending, the resolution process ends, as Gallaudet no longer has disciplinary jurisdiction over the resigned employee.

However, Gallaudet will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or retaliation.

The employee who resigns with unresolved allegations pending is not eligible to rehire with Gallaudet, and the records retained by Human Resources will reflect that status.

All Gallaudet responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

INITIAL ASSESSMENT OF REPORT

Intake Process

Upon receipt of a report under this Policy, the Title IX Coordinator or designee will conduct an intake process to assess the report and determine the appropriate course of action. The intake process includes, as applicable:

- Assessing whether the reported conduct may reasonably constitute a violation of this Policy and determining which resolution procedure applies (Title IX Sexual Harassment **or** Non–Title IX Sexual Misconduct);
- Determining whether the university has jurisdiction over the reported conduct;
- Offering and coordinating supportive measures for the parties;
- Notifying the complainant, or the individual who submitted the report, of the available resolution options and resources;
- Determining whether the complainant wishes to file a Formal Complaint; and
- If a Formal Complaint is filed, notify the respondent and advising them of the available resolution options.

The intake process also serves to assist the Complainant in understanding available procedures and to address any immediate needs or safety concerns. The Title IX Coordinator retains the discretion to determine whether, and under which procedure, the University will initiate a resolution process in accordance with this Policy.

The University has separate grievance resolution procedures depending on the type of alleged misconduct:

- The grievance resolution procedure for alleged Title IX Sexual Harassment is outlined in EOP.03 (Gallaudet University Title IX Sexual Harassment Grievance Procedures).
- The grievance resolution procedure for alleged non-Title IX Sexual Misconduct is outlined in EOP.04 (Gallaudet University Sexual Misconduct Grievance Procedures).

This policy sets forth the general principles guiding all grievance processes, including both Title IX and non-Title IX matters:

Standard of Evidence– Gallaudet uses the preponderance of the evidence standard of evidence when determining if a policy violation occurred. This means the University will decide whether it is more likely than not, based on the available information at the time of the decision, that the Respondent violated the policy.

Objective Review Process – The University will conduct an objective evaluation of all relevant evidence obtained during any formal investigation. This includes both evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual’s status or participation as a Complainant, Respondent, or witness.

By default, the Respondent is presumed not responsible unless the evidence shows otherwise.

Impartiality – Any individual involved in handling a resolution process (including the Title IX Coordinator, Investigator(s), and Decision-maker(s)) must be free from any conflicts of interest or bias towards any party generally, or specifically towards Complainant or Respondent.

The Title IX Coordinator checks that Investigators are impartial. If a party feels there is bias or a conflict, they can raise the concern at any time. If the concern is valid, a new Investigator will be assigned. If the Coordinator is the concern, it should be reported to the Executive Director of Belonging & Engagement. Parties will have an opportunity to object to Decision-makers based on bias or conflict of interest before the hearing, as outlined in the relevant procedures.

Privacy and Confidentiality – The University strives to protect the privacy of all individuals involved in reports of discrimination, harassment, retaliation, or sexual misconduct. Identities of reporters, respondents, and witnesses are shared only as required by law or to conduct an official investigation or resolution. Information provided to Confidential Resources remains fully confidential; otherwise, access is limited to those with a legitimate need to address the report.

The University recognizes that parties may request confidentiality. While such requests will be honored whenever possible, the University may need to investigate to maintain a safe and nondiscriminatory environment. When confidentiality cannot be fully maintained, the University will consult with the individual and provide updates throughout the process.

All parties and their advisors are expected to maintain the confidentiality of information shared during investigations or resolutions. Individuals may share their own experiences but should consider the sensitivity of the information and consult their advisors as appropriate.

Following the intake and assessment conducted under the University Sexual Harassment and Misconduct Policy (EOP.02), the Title IX Coordinator determines whether the reported conduct reasonably alleges a potential Title IX violation. If so, the Title IX Coordinator will explain the available options to the Complainant as follows:

Supportive measures only – when the Complainant does not wish to file a Formal Complaint.

Informal Resolution – available only after a Formal Complaint is filed, with consent of both parties and subject to the additional criteria described in the Informal Resolution section, below.

Formal Grievance Process – investigation and hearing, initiated upon a Formal Complaint.

In all cases, the Title IX Coordinator may implement supportive measures as appropriate and consistent with EOP.02.

For student Respondents, when an individualized safety and risk analysis determines that the Respondent poses an immediate threat to the physical health or safety of any student or other individual, the University may implement emergency removal or impose an interim suspension as outlined in EOP.02.

For employee respondents, the University may place the employee on administrative leave in accordance with applicable employment policies and procedures.

FILING A FORMAL COMPLAINT

Written and Signed Formal Complaint Required for Resolution

A Formal Complaint means a written or electronic document that is signed or otherwise clearly submitted by the Complainant, asking the University to investigate the allegations. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided in Section VIII of EOP.02. If a report is received but does not meet this definition, the Title IX coordinator will contact the Complainant to confirm whether they wish to proceed.

A Formal Complaint is accompanied by a written statement (video statements using ASL are also accepted).

Consistent with the 2020 Title IX regulations, a Formal Complaint must be filed before the University may initiate either Informal Resolution or the Formal Grievance Process.

Formal Complaints Filed by the Title IX Coordinator

The University generally honors a Complainant's decision not to file a formal complaint; however, the University may initiate a complaint or investigation when the known circumstances indicate a pattern, seriousness, or safety risk, as discussed in EOP.02. For the purposes of these Formal Complaints, the Title IX Coordinator is not a Complainant or otherwise a party.

Response to Formal Complaint

In response to receiving the Formal Complaint, the University will follow the grievance process as specified in this Procedures. The grievance process presumes that the Respondent is not responsible for the Title IX Sexual Harassment allegation(s) until all of the relevant evidence has been examined and a determination regarding responsibility is made at the conclusion of the grievance process.

Dismissal of Formal Complaint

A Formal Complaint, or specific allegations within it, must be dismissed if at any point it is determined that:

- The alleged conduct, even if true, would not meet the Title IX definition of sexual harassment;
- The conduct did not occur in a university program or activity;
- The conduct did not occur in the United States; or
- At the time of filing, the Complainant was not participating in or attempting to participate in a university program or activity.

Gallaudet may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- The Respondent is no longer enrolled in or employed by Gallaudet; or
- Specific circumstances prevent Gallaudet from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, Gallaudet will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures for appeal below (see Section XII). A Complainant who asks to withdraw a complaint may later request to reinstate it or re-file it.

Dismissal of a Formal Complaint under Title IX does not preclude Gallaudet from addressing the reported conduct through other University policies, procedures, or processes, where appropriate.

Resolution Timeline

Gallaudet will make a good faith effort to complete the resolution process, whether informal resolution or through the formal grievance process, within a ninety (90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

When a Title IX proceeding extends to the end of an academic term and cannot be completed before the term concludes (assuming the Respondent remains subject to this Policy), the

University will typically continue the process immediately after the term ends or during a summer or winter break, as needed.

If the Respondent is a graduating student, the University may restrict participation in commencement activities and/or withhold degree conferral until the matter, including any appeal, is fully resolved. A student with a pending Title IX matter is not considered in good standing for graduation purposes until the process is complete.

Consolidation/Counterclaims

The University may consolidate formal complaints of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

The University also allows counterclaims but must make sure they are not used as a way to retaliate. Counterclaims go through the same initial review as any other report. If a counterclaim appears retaliatory or not made in good faith, it will not move forward, and filing such a claim may itself be considered retaliation under this Policy. If the counterclaim is made in good faith, it will proceed through the appropriate grievance process. The Title IX Coordinator may decide to investigate a counterclaim at the same time as the original allegation or wait until the original allegation is resolved, which may cause some delay.

ADVISORS

Each party may have one Advisor of their choice present during all stages of the resolution process, including meetings, interviews, and hearings. Parties may choose any eligible and available individual to serve as an Advisor, including a friend, mentor, family member, attorney, or another person of their choosing. If an attorney serves as an advisor, they do so solely in a personal support capacity and may not act in a legal or representative role. The Title IX Coordinator will offer to assign a trained Advisor from a pool of employees upon request.

Advisors may provide support and guidance to the parties at any meeting or proceeding. Except during a live hearing where Advisors conduct cross-examination on behalf of the parties, Advisors may not speak for a party or otherwise participate in a way that delays, disrupts, or interferes with meetings or proceedings. The University will not delay scheduling based on an Advisor's unavailability. Advisors may be asked to meet with the Title IX Coordinator beforehand to review expectations, privacy requirements, and appropriate decorum.

The Title IX Regulations require indirect questioning during the live hearing, which must be conducted by the parties' Advisors. Parties may not directly question one another or any witnesses. If a party does not have an Advisor for the hearing, the University will appoint a trained Advisor for the limited purpose of conducting questioning.

Parties may share documents and evidence with their Advisor directly or may authorize the University to do so. To have Gallaudet release records to an Advisor, a party must submit the University's consent form or provide other written permission. Without this authorization, the University cannot share records with an Advisor. Advisors must keep all records confidential and may not disclose them or use them for any unauthorized purpose. The University may limit an Advisor's role if they fail to comply with privacy or conduct expectations.

Gallaudet expects Advisors to adjust their schedules to attend planned meetings, but the University may reschedule when an Advisor's absence would not cause an unreasonable delay. If necessary, Advisors may participate by phone, video, or other available technology.

Advisors who overstep their role will receive one warning. Continued disruption may result in removal or adjournment of the meeting, and the Title IX Coordinator will determine whether the Advisor may continue in the role.

Parties may change Advisors at any time. They should notify the Investigator(s) of the Advisor's name at least two business days before the first meeting (or as soon as possible if the meeting must occur sooner) and must promptly inform the Title IX Coordinator of any changes. When an Advisor changes, prior consent to share information is considered revoked, and new written authorization is required. Parties must inform the Title IX Coordinator of the identity of their Advisor at least ten calendar days before the hearing.

WRITTEN NOTICE OF ALLEGATIONS

When the Formal Grievance Process begins, the Title IX Coordinator (or their designee) will send both parties a written notice explaining that an investigation is starting and what the allegations are. This is called the Notice of Investigation and Allegations (NOIA).

The NOIA will include, at minimum:

- The identity of the parties involved (if known),
- The conduct constituting Title IX sexual harassment being alleged,
- The date and location of the alleged incident(s) (if known),
- A description of the applicable procedures,
- A statement stating that the parties may inspect and review relevant evidence,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that Gallaudet presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement about Gallaudet's policy on retaliation,
- A statement prohibiting knowingly making false statements or knowingly submitting false information,
- Information on the ability of each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor, and

- A statement informing the parties that Gallaudet's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

NOIA will be made in writing and may be delivered by one or more of the following methods: in person or emailed to the parties' Gallaudet-issued email or designated accounts. Once emailed, and/or received in-person, notice will be presumptively delivered.

INFORMAL RESOLUTION

Informal Resolution is a voluntary process the parties may use instead of completing the Formal Grievance Process. Informal Resolution is not appropriate in all cases and may be used only when approved by the Title IX Coordinator and when all required conditions are met.

Gallaudet offers two Informal Resolution options:

- **Alternate Resolution;** or
- **Acceptance of Responsibility.**

A Formal Complaint is required to begin Informal Resolution. A party who wishes to request Informal Resolution must contact the Title IX Coordinator.

When a party requests an Informal Resolution, the University will provide written notice describing the allegations, possible outcomes, and how records will be handled. The University will not pressure any party to participate and will begin the process only after receiving written consent from all parties.

Informal resolution is confidential, and statements made in an informal resolution process may not be used in the formal resolution process. Individuals who facilitate informal resolution cannot be called as fact witnesses at a hearing.

Either party may stop Informal Resolution at any time prior to signing a resolution agreement and return to the Formal Grievance Process.

If a complainant is resolved informally, the Title IX Coordinator will close the case. If an agreement is not reached and the Title IX Coordinator determines that further action is necessary, or if a Respondent fails to comply with the terms of the alternative resolution, the matter may be referred for an investigation under the formal resolution process.

Alternate Resolution

Alternate Resolution is a voluntary, mutually agreed-upon process designed to resolve concerns without a formal determination of responsibility. Alternate Resolution may include mediation, restorative practices, facilitated dialogue, or other appropriate resolution mechanisms, as determined by the Title IX Coordinator.

Alternate Resolution does not require admission of responsibility by the respondent.

Alternate Resolution: Eligibility and Screening

The Title IX Coordinator (or designee) determines whether a complaint is eligible for Alternate Resolution. If the Coordinator determines that a case is not appropriate for Alternate Resolution, this option will not be available. In such cases, the matter will proceed through the Formal Grievance Process, or supportive measures will continue if the Complainant does not wish to pursue a formal process.

In determining whether Alternate Resolution is appropriate, the Title IX Coordinator may consider, among other factors:

- The parties' willingness and capacity to participate voluntarily
- The likelihood that the process can result in a safe and meaningful resolution
- Any power dynamics or imbalances between the parties
- The parties' motivation, emotional readiness, and ability to engage respectfully
- The results of any violence risk assessment or ongoing safety concerns
- Whether an emergency removal or interim action is necessary
- The nature and complexity of the allegations
- The skills and appropriateness of the proposed facilitator
- Prior disciplinary history, if relevant
- Available institutional resources to support the process

Alternate Resolution: Situations Where Alternate Resolution is Not Available

Alternate Resolution will not be offered in cases where its use would be inappropriate, unsafe, or ineffective. Examples include, but are not limited to:

- Cases involving an employee as a Respondent and a student as a Complainant
- Allegations involving ongoing harm, violence, coercion, or significant power imbalance
- Sexual assault
- Domestic or dating violence
- Stalking
- Cases involving conduct that would require mandatory disciplinary action under university policy
- Cases involving an ongoing criminal investigation that would conflict with the process

These limitations apply only to Alternate Resolution and do not restrict the availability of Acceptance of Responsibility, where appropriate.

Alternate Resolution: Timing and Scope

Alternate Resolution may be offered prior to an investigation or, in appropriate cases, after an investigation but before a hearing.

Alternate Resolution is generally not available when one or more parties are no longer enrolled or employed by the University.

If a resolution agreement is reached, the Title IX Coordinator will maintain records of the agreement. Failure to comply with the terms of an Alternate Resolution agreement may result in appropriate responsive or disciplinary action. Outcomes reached through Alternate Resolution are final and not subject to appeal.

Acceptance of Responsibility

Acceptance of Responsibility is a separate Informal Resolution option in which the Respondent formally admits and accepts responsibility for some or all the alleged policy violations.

Acceptance of Responsibility requires admission and does not involve mediation or negotiated resolution between the parties. Because responsibility is accepted, no investigation or hearing is required, and the matter proceeds directly with sanctioning and remedies.

A respondent may accept responsibility at any point prior to the hearing. Upon such acceptance:

- The formal process is paused
- The Title IX Coordinator confirms that Acceptance of Responsibility is appropriate
- The matter proceeds directly with the sanctioning phase

Sanctions and remedies will be determined by the University. The Disciplinary Authority, in consultation with the Title IX Coordinator, will determine appropriate sanctions and remedies consistent with University policy and the severity of the conduct.

Acceptance of Responsibility does not require agreement by the Complainant regarding sanctions, though the Complainant's input regarding remedies will be considered where appropriate.

Once Acceptance of Responsibility is finalized and sanctions are imposed, the outcome is final and not subject to appeal.

FORMAL GRIEVANCE PROCESS: INVESTIGATION

Equitable Opportunities

During the formal grievance process, both the Complainant and the Respondent are provided equitable opportunities, including the opportunity to participate in the investigation; to review and present information and evidence; to be accompanied by an advisor of their choice to any meeting and proceeding; and to timely notice of meetings at which their presence will be requested or required.

Investigator

The Title IX Coordinator will appoint one or more individuals to conduct the investigation within two (2) business days of determining that an investigation should proceed. The Investigator(s) will conduct a prompt, thorough, fair and impartial investigation. The Investigator will receive annual training on: (1) issues of relevance; (2) the definitions in this Policy; (3) the scope of the university's Programs or Activities; (4) how to conduct an investigation; and (5) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Investigator will be impartial and free from conflict of interest or actual bias for or against the Complainant or Respondent or Complainants or Respondents generally.

Before any interview, the individual being interviewed will be informed in writing of the date, time, location, participants, and purpose of the interview. Such notice will be provided with sufficient time for the individual to prepare for the interview.

Investigation Timeline

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Gallaudet will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Extending Time and Interaction with Law Enforcement

Gallaudet may undertake a short delay in its investigation if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the reasonable absence of parties and/or witnesses, breaks in the University calendar, accommodations for disabilities or health conditions, and/or complex investigations that may involve a large volume of information or number of witnesses or severe and/or widespread allegations of misconduct.

Gallaudet will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Gallaudet will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Gallaudet will implement supportive measures as deemed appropriate.

Gallaudet's action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced

Investigative Steps and Gathering Evidence

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all available, relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on record.

Written Statements from the Parties

The Complainant's written statement is submitted with the Complainant, as explained above in Section III.

Once the Respondent receives a written notice of the allegations, the Respondent will have five (5) business days to submit a written statement, signed and dated, in response to the allegations. ASL videos are accepted as written statements. The Respondent will not be allowed to review the Complainant's statement until after the Respondent submits their statement.

Each written statement should identify all sources of information (witnesses, correspondence, text messages, or other documentation).

Interviews

During an investigation, the Investigator will seek to meet separately with the Complainant, Respondent, and relevant witnesses. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, the parties or related matters. Witnesses may not participate solely to speak about an individual's character. Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in the final investigative report, which the parties will have the opportunity to review at the conclusion of the investigation.

Information Gathering

The Investigator will also gather other relevant information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate.

Role and Participation of Witnesses in the Investigation

Witnesses (as distinguished from the parties) who are employees of Gallaudet are expected to cooperate with and participate in Gallaudet's investigation and resolution process. Student witnesses and witnesses from outside Gallaudet or the Clerc community are encouraged to cooperate with Gallaudet's investigations and to share what they know about a complaint.

Witnesses may provide written or video statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written or video statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to record interviews, all involved parties must be made aware of the recording. In investigation processes where there is a need to protect all parties in bilingualism translation errors, video recording may support the investigator's ability to transcribe parties' statements with more accuracy. Parties must review the transcript of the translations and approve the final interpretations.

Review of Preliminary Investigative Report and Evidence

At the conclusion of the fact-gathering portion of the investigation and before the Investigator finishes the final investigative report, both the Complainant and the Respondent will have the same opportunity to review the evidence collected during the investigation.

This includes all evidence that is directly related to the allegations, even if the University does not plan to rely on that evidence in making its decision, and whether the evidence supports or does not support the allegations.

The Investigator will send the preliminary investigative report and evidence to each party and their Advisor (if they have one), either electronically or in hard copy. Each party will then have ten (10) business days to respond to the evidence in writing.

The Investigator will decide whether any requested additional steps are appropriate and whether the information is relevant.

If either party submits a written response or requests further investigation, that response and any new information gathered will be shared with the other party and included in the final investigative report when appropriate.

If new, substantive information is collected, both parties will be given the opportunity to review and respond to it. In those cases, each party will have five (5) business days to review the additional information.

The Investigator(s) will incorporate relevant elements of the parties' written responses to the evidence, include any additional relevant evidence

Final Investigative Report

Unless significant additional investigation is needed, the Investigator will usually prepare the final investigative report within five (5) business days after reviewing the parties' responses. The final investigative report will summarize the relevant evidence. At least ten (10) business days before the hearing, the Investigator will send the final report to both parties and their Advisors, if any, at the same time.

In preparing the final report, the Investigator will:

- consider the parties' written responses;
- include any additional relevant evidence;
- make any necessary revisions; and
- share the report with the Title IX Coordinator.

FORMAL GRIEVANCE PROCESS: EVIDENCE

Relevant Evidence

The investigator(s) and decision-maker(s) will consider only evidence that is relevant or directly related to the allegations.

- The investigation and the hearing will not consider:
- Questions or evidence about a Complainant's sexual predisposition;
- Questions or evidence about a Complainant's prior sexual behavior, unless:
- the evidence is offered to show that someone other than the Respondent committed the alleged conduct; or
- The evidence concerns specific incidents of prior sexual behavior between the Complainant and the Respondent and is offered to show consent;
- Questions or evidence involving medical, psychological, or mental health records unless the person to whom the records belong provides voluntary, written consent for those records to be reviewed.

Impact Statements

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached. The decision whether to provide an impact statement is completely voluntary. The University will not draw any adverse inference solely from a Complainant's or Respondent's decision not to submit an impact statement.

Parties will receive a copy of the impact statement provided by the other party.

FORMAL GRIEVANCE PROCESS: LIVE HEARING

Submission for Hearing

The Investigator will provide the final investigative report to the Title IX Coordinator (or designee), who will arrange a Hearing Panel to conduct a live hearing and determine responsibility.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation—when the final investigation report is transmitted to the parties and the Decision-maker—unless all parties and the Decision-maker agree to an expedited timeline.

Hearing Panel

The Title IX Coordinator or designee will appoint a Hearing Panel of three (3) trained faculty and staff members to conduct the live hearing and determine responsibility. For cases in which a faculty member is a Respondent, the panel will be comprised of two faculty, one staff member.

All Decision-maker(s) must be impartial and free from bias or conflicts of interest and must not have had any prior involvement in the investigation. Any individual who believes they cannot conduct a fair and unbiased review must promptly notify the Title IX Coordinator or designee, and a replacement will be assigned as needed.

Individuals who served as Investigators in the matter will participate as witnesses and may not serve as Decision-makers. Individuals serving as Advisors to any party also may not serve as Decision-makers.

Decision-makers receive annual training on the University's Title IX policies and procedures; conducting hearings; issues of relevance; impartial decision-making; avoidance of prejudgment, bias, and conflicts of interest; and the use of any technology employed during hearings.

The Title IX Coordinator will not serve as a Decision-maker or Hearing Chair but may act as an administrative facilitator of the hearing if their prior involvement does not create a conflict of interest. If a conflict exists, a designee will fulfill this role. The coordinator may also designate an

alternate Decision-maker from the trained pool to observe the hearing in the event a substitution becomes necessary.

The hearing will be scheduled at a time determined by the Chair, Decision-maker, or designee.

Hearing Panel Chair

One of the three members will be appointed Hearing Panel Chair by the Title IX Coordinator.

The Hearing Panel Chair controls the hearing to keep it fair, orderly, and on schedule. The Chair may exclude any person, including a party or an Advisor, who disrupts the hearing. The Chair makes final decisions on procedural matters, determines whether questions are relevant, and ensures the hearing is conducted fairly and efficiently.

Behavioral Expectations

All parties, advisors and witnesses must maintain appropriate behavior throughout the live hearing. Participants at the live hearing are expected to abide by the Hearing Panel Chair's directions and determinations, maintain civility, and avoid outbursts, raised voices, and other disruptive behavior. Repeated violations of appropriate behavior will result in a break in the live hearing, the length of which will be determined by the Hearing Panel Chair. The Hearing Panel Chair reserves the right to appoint a different advisor to conduct cross-examination on behalf of a party after an advisor's repeated violations of appropriate behavior or other rules related to the conduct of the live hearing.

Participation of the Parties and Witnesses

A party or witness who chooses to take part in the process is expected, but not required, to participate in all stages, including the hearing if requested, except that witnesses who are employees of Gallaudet are expected to cooperate with and participate in Gallaudet's investigation and resolution process. The Hearing Panel will not make assumptions or draw conclusions based solely on a party's or witness' absence or refusal to answer questions. If a party does not attend the hearing, their advisor may still attend to ask questions of the other party and witnesses.

Any witness scheduled to participate in the hearing must have been interviewed first by the Investigator(s) or have provided a written or video statement or answered written questions unless all parties and the Chair assent to the witness's participation in the hearing.

Notice of Hearing

The Title IX coordinator or designee will provide both parties with at least ten (10) business days advance written notice of the hearing for the parties to prepare to participate. The written notice will provide the date, time, location, participants, and purpose of the hearing.

The notice will include a list of all those who will attend the hearing, along with an invitation to object to any Decision-maker based on demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.

Generally, once scheduled, a hearing will not be delayed unless due to a serious, documented illness of a party or advisor, the introduction of new evidence, or University closing.

Closed Hearing

All hearings are closed to the public.

Standard of Evidence

Determinations of responsibility with respect to the allegations in the Formal Complaint against the Respondent must be established by a Preponderance of the Evidence.

Pre-Hearing Preparation

The Chair may hold one or more pre-hearing meetings with the parties and/or their Advisors. During these meetings, the Chair may ask the parties or Advisors to submit proposed questions or topics they intend to raise at the hearing. This allows the Chair to rule on relevance in advance, prevent improper evidence from being introduced, and suggest clearer or more appropriate wording if needed.

This advance review does not prevent Advisors from asking new questions at the hearing or from requesting reconsideration of a ruling based on new testimony or information presented during the hearing. If the Chair excludes any question or topic during a pre-hearing meeting, the Chair will document the reason for the exclusion and share it with both parties.

At pre-hearing meetings, the Chair will also consider arguments that evidence identified as relevant in the final investigative report is not actually relevant, or that evidence identified as directly related but not relevant should be considered relevant. The Chair may rule on these issues before the hearing and will share those rulings with both parties to help them prepare.

The Chair may consult with legal counsel and/or the Title IX Coordinator, or invite either or both to attend pre-hearing meetings.

Pre-hearing meetings may be recorded. When recording is used to support accurate interpretation or translation, the parties will be given an opportunity to review the transcript and approve the final interpretation.

New Evidence at Hearing

If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

Hearing Format

The hearing will be live, with all questioning conducted in real time. The University provides, by request, modifications to the hearing to mitigate harm through contact by the parties. This means that the parties may be located in separate rooms (or at separate locations) with technology enabling the Hearing Panel and the parties to simultaneously see and hear the party or witness answering questions. A hearing may be conducted entirely virtually through the use of remote technology so long as the parties and Hearing Panel are able to hear and see one another in real time.

No Formal Rules of Evidence

Formal rules of evidence will not be applicable in the hearing. The Hearing Panel Chair may exclude evidence that is not relevant. The Hearing Panel Chair may, at its discretion, exclude witnesses or any witness testimony that the Hearing Panel considers irrelevant or duplicative.

Hearing Procedure

The Hearing Panel Chair has general authority and wide discretion over the conduct of the hearing (e.g., they may set time frames for witness testimony and may limit opening/closing statements or their length, etc.). Although the Hearing Panel Chair has discretion to modify it, the general course of procedure for a hearing is as follows:

- Investigator presents the final investigation report;
- Questioning the Investigator by the Decision Maker(s), Complainant, and Respondent;
- Questioning the Complainant by the Decision Maker(s);
- Cross examination of the Complainant by the Respondent's advisor;
- Questioning the Respondent by the Decision Maker(s);
- Cross-examination of the Respondent by the Complainant's advisor;
- Decision-Maker(s) questioning of other material witnesses
- Cross-examination of other material witnesses by the parties' advisors;
- Closing comments from the Complainant; and
- Closing comments from the Respondent.

Cross-Examination

At the hearing, questioning of the parties and witnesses is conducted by the parties' Advisors. Each party's Advisor may ask the other party and any witnesses relevant questions and

follow-up questions, including questions that challenge credibility. Questioning must be done directly, orally, and in real time by the Advisor and not by the party personally.

The Advisor does not represent the party or develop their own questions. Instead, the Advisor asks the questions the party wants to ask. Each party is responsible for preparing their questions and any follow-up questions for the other party and witnesses and providing them with their Advisor. The Advisor may not ask questions that the party has not authorized.

Refusal to Submit to Questioning and Inferences

A party or witness may choose not to answer questions at the hearing, either by not attending or by attending and declining to respond to some or all questions. The Decision-maker will base the final determination only on the relevant evidence that is available and may not draw any conclusions based solely on a party's or witness's absence or refusal to answer questions. The decision-maker cannot rely on witness's prior statements in reaching a determination of responsibility if the witness does not submit to cross-examination. The panel may consider prior statements by the parties even if they do not submit to cross-examination, as long as the statements are reliable and relevant.

Hearing Recordings

Except as described in this Section, all recordings of the hearing are prohibited. Any cameras and any recording device, including cellphones, are prohibited. However, the University will record the hearing for the purpose of review and appeal. The University does not provide copies of the hearing.

FORMAL GRIEVANCE PROCESS: POST-HEARING

Determination of Responsibility

Following the hearing, the Hearing Panel will consider all the relevant evidence and make a determination, by a Preponderance of the Evidence, whether the Respondent has violated the Policy. A simple majority vote is required to determine the finding. The deliberation is done via a closed session.

Disciplinary Authority

If the Hearing Panel determines that the Respondent is responsible for violating the Policy, the Hearing Panel will refer the matter to the appropriate Disciplinary Authority who will determine the appropriate remedies and/or sanction(s) to be imposed.

The Disciplinary Authority is typically the University administrator with appointing or other authority over the Respondent as follows:

- a. For student Respondents, the Disciplinary Authority is the Associate Dean of Student Center Programs and Services or designee.
- b. For staff Respondents, the Disciplinary Authority is the Executive Director of Human Resources or designee, who may consult with the Respondent's direct supervisor.
- c. For a Respondent who is both a student and employee, the Disciplinary Authority is the Associate Dean of Student Center Programs and Services or designee if the Respondent's primary status is an enrolled student. The Disciplinary Authority is the Executive Director of Human Resources or designee where the respondent's primary status is an employee who is enrolled as a student as a benefit of their own employment. Where there is a question about the predominant role of the Respondent, the Title IX Coordinator may direct that the Associate Dean of Student Center Programs and Services and Executive Director of Human Resources work collaboratively as the Disciplinary Authority. Such a Respondent may be subject to any of the sanctions applicable to students and employees.
- d. For faculty Respondents, the Disciplinary Authority is the Dean of Faculty or designee.

When there is a finding of responsibility on one or more of the allegations, the Disciplinary Authority may then consider the previously submitted party impact statements in determining appropriate sanction(s).

Notice of Outcome

The Notice of Outcome, which contains the written determination of responsibility as found by the Hearing Panel must be submitted to both Parties within seven (7) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

The Notice of Outcome must include the following:

- a. Identification of the allegations potentially constituting Title IX Sexual Harassment;
- b. A description of the procedural steps taken from the receipt of the Formal Complaint of Title IX Sexual Harassment through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c. Findings of fact support determination;
- d. Conclusions regarding the application of Title IX Sexual Harassment Policy to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility; and
- f. If there is a finding of responsibility on one or more of the allegations, then the applicable sanctions;
- g. The University's procedures and permissible bases for the Complainant and Respondent to appeal.

FORMAL GRIEVANCE PROCESS: SANCTIONS

Not all forms of sexual harassment are equally serious. Gallaudet may impose sanctions ranging from a verbal warning to expulsion, depending on the nature and severity of the conduct. In determining appropriate sanctions, Gallaudet will consider the rights and concerns of both the Complainant and the Respondent, as well as the need to ensure a safe and nondiscriminatory educational environment. Sanctions may include educational, restorative, rehabilitative, and/or punitive measures. Attempts to commit conduct prohibited by the Sexual Harassment Policy may be sanctioned to the same extent as completed violations.

If a respondent is found to have violated the University's Title IX policy, it will impose sanctions commensurate with the violation. Potential sanctions include, but are not limited to, the following:

- Probation
- Written warning
- Demotion or pay cuts (for employees)
- Restrictions on access to university programs or areas
- Suspension
- Transcript notation (for students)
- Expulsion (for students)
- Termination of employment
- Revocation of faculty tenure (under the procedures of the Faculty Handbook)
- Discretionary Sanctions: Other sanctions that bear a reasonable relationship to the violation for which the respondent has been sanctioned may be imposed instead of or in addition to those specified above. Discretionary sanctions include, but are not limited to service hours, fines, educational reflection assignments, and participation in alcohol or drug awareness programs, and training, counseling, and education regarding sexual offenses.

Sanctions or corrective actions may also be imposed in accordance with relevant policies and/or procedures and other requirements set forth in the Administrations and Operations Manual, Faculty Handbook, Supervisor's Handbook, and other policies or handbooks that may be developed over time, or contracts.

FORMAL GRIEVANCE PROCESS: APPEALS

Appeal Option

Either the Complainant or the Respondent may appeal (1) for the dismissal of a Formal Complaint or any of its allegations, (2) a determination of responsibility, and/or (3) any sanctions imposed, in accordance with the procedures outlined in this section of the Policy.

An appeal to the appeals officer (or their designee) must be submitted in writing or by video within seven (7) business days of the Notice of Outcome and must be based on one or more of the grounds listed below.

The appeal review will be limited to the stated grounds. The appealing party must provide rationale and supporting information or documentation. The appeals officer will share the appeal materials with the other party, who may submit a written response within seven business days; that response will also be shared with the appealing party.

Grounds for Appeal

The purpose of the appeal is not to initiate a review of substantive issues of fact, or a new determination of whether a violation of Gallaudet's rules has occurred. Dissatisfaction with the outcome determination is not ground for appeal.

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.
4. The sanction was clearly inappropriate and/or disproportionate to the conduct for which the person was found responsible.

Appeal Officer

Appeals will be reviewed by the appropriate university administrator as follows:

Student Respondent: Chief Student Affairs Officer or designee.

Faculty Respondent: Appeals to the first three grounds listed above will be directed to the provost, while appeals on the sanction(s) imposed will go directly to the Faculty Senate Chair. Refer to the Faculty Handbook for more information.

Staff or Related Third Party Respondent: The appropriate staff divisional senior administrator or Provost (or their designee).

Appeal Review

The appeals officer will first check whether the appeal was submitted on time and whether it is based on an approved reason for appeal. If it is not, the appeal will be denied.

In most cases, the appeal review will be limited to the investigation report, related documents, and the hearing recording. The appeals officer may consider new evidence that was not reasonably available at the time of the original decision or whether a sanction was clearly inappropriate. The appeals officer may also consult with university officials as needed and will decide how much weight to give the information reviewed.

A written decision will be issued within seven (7) business days, unless there are exceptional circumstances. All parties will receive a Notice of Appeal Outcome at the same time, explaining the decision and any next steps. Notice will be provided in writing, either in person or by university-issued or approved email.

Sanctions Status During Appeal

Any sanctions resulting from the hearing will be paused while an appeal is pending. Supportive measures may be reinstated in accordance with the University's supportive measures procedures.

When the original sanctions include separation, the University may place holds on transcripts, diplomas, graduation, or course registration until the appeal process is complete.

Prevention And Awareness for Sexual Assault, Dating Violence, Domestic Violence, Stalking and Bystander Education

Gallaudet University is committed to preventing sexual assault, dating violence, domestic violence, stalking, and other forms of interpersonal violence through comprehensive, intentional, and ongoing prevention and awareness efforts. The University's approach to prevention includes education, awareness, bystander intervention, risk reduction, and connection to resources and support.

Prevention and awareness efforts are coordinated across the University and are designed to be responsive to the needs and experiences of the Gallaudet community. Programs are offered throughout the academic year through student orientation, employee education and training, classroom presentations, workshops, residence life programming, student organization programming, awareness campaigns, and other educational activities.

Primary Prevention and Awareness Programs

Gallaudet University provides primary prevention and awareness programs for incoming students and new employees. Primary prevention programs are intended to prevent sexual assault, dating violence, domestic violence, and stalking before they occur by addressing behaviors, attitudes, knowledge, and skills that contribute to a safe and respectful community.

Programs address, as applicable:

- Sexual assault, dating violence, domestic violence, and stalking;
- Consent and healthy relationships;
- Bystander intervention;
- Risk reduction and personal safety;
- Reporting options and available resources;
- Supportive measures and other available assistance; and
- University policies and procedures related to prohibited conduct.

Primary prevention and awareness education may be provided through orientation programs, required training, presentations, workshops, online education, and other educational opportunities.

Ongoing Prevention and Awareness Programs

Gallaudet provides ongoing prevention and awareness programs throughout the academic year for students and employees. These programs build upon primary prevention education and provide opportunities for community members to develop knowledge and skills related to preventing and responding to interpersonal violence.

Ongoing prevention efforts may include classroom and department presentations, workshops, residence life programs, student organization programming, awareness campaigns, bystander intervention programs, and educational events addressing sexual assault, dating violence, domestic violence, stalking, consent, healthy relationships, alcohol and other drug-related risk factors, and available resources.

The University also conducts and participates in awareness activities throughout the academic year addressing topics such as sexual assault prevention, healthy relationships, domestic violence, stalking, bystander intervention, and community accountability.

Culturally Responsive and Accessible Prevention

Gallaudet recognizes that effective prevention education must be accessible and responsive to the experiences of its community. Prevention and awareness efforts are developed and delivered with consideration for Gallaudet's Deaf, DeafBlind, and Hard of Hearing community and the diverse identities, experiences, and needs of its students and employees.

The University works to make prevention education accessible and meaningful to the Gallaudet community through appropriate communication and educational approaches, including the use of American Sign Language and other accessible formats and methods as appropriate.

Bystander Intervention

Gallaudet provides bystander intervention education to help community members recognize situations that may involve harmful or concerning behavior, consider options for responding safely, and take appropriate action when they can do so without placing themselves or others at risk.

Bystander intervention education may address recognizing potentially harmful situations, interrupting or preventing problematic behavior, supporting individuals who may be experiencing harm, and connecting community members with appropriate University and community resources.

Risk Reduction

Gallaudet provides education and resources intended to increase awareness of potential risks and protective factors and to support community members in making informed decisions about their safety and the safety of others.

Risk reduction education may address personal safety, recognizing concerning behavior, healthy relationships, alcohol and other drug-related risks, bystander intervention, and available resources.

Risk reduction efforts are not intended to place responsibility for preventing sexual assault, dating violence, domestic violence, or stalking on individuals who experience or may experience such conduct. Responsibility for prohibited conduct rests with the individual who engages in that conduct.

Gallaudet risk reduction for dating violence, domestic violence, stalking, sexual harassment, and sexual violence.

Tips for reducing the risk of being accused of sexual misconduct:

- Show your potential partner respect if you are in a position of initiating sexual contact.
- If a potential partner says “no,” accept it and don’t push. If you want a “yes,” ask for it once, and don’t proceed without clear consent.
- Clearly communicate your intentions to your potential sexual partners and give them a chance to share their intentions and/or boundaries with you.
- Respect personal boundaries. If you are unsure what’s OK with any interaction, ask.
- Avoid ambiguity. Don’t make assumptions about consent, about whether someone is attracted to you, how far you can go with that person, or if the individual is physically and mentally able to consent. If you have questions or are unclear, you don’t have consent.
- Don’t take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Others’ loss of control does not

put you in control. Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or doesn't want to happen. That person may be undecided about how far to go with you, or you may have misread a previous signal.

- Respect the timeline for sexual behaviors with which others are comfortable and understand that they are entitled to change their minds.
- Recognize that even if you don't think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size, or a position of power or authority you may hold, or their past experiences.
- Do not assume that someone's silence or passivity is an indication of consent. Pay attention to verbal and non-verbal signals to avoid misreading intentions.
- Understand that consent to one type of sexual behavior does not automatically grant consent to other types of sexual behaviors. If you are unsure, stop and ask.
- Understand that exerting power and control over another through sex is unacceptable conduct.
- Victim-blaming is never appropriate, and Gallaudet fully recognizes that only those who commit sexual misconduct are responsible for their actions. These tips are offered in the hope that recognizing patterns can help everyone reduce the risk of unwanted incidents from occurring.

Tips for Reducing the Risk of Unwanted Incidents:

- Make any limits/boundaries you may have known as early as possible.
- Clearly and firmly articulate consent or lack of consent.
- Remove yourself, if possible, from an aggressor's physical presence. Reach out for help, either from someone who is physically nearby or by calling someone. People around you may be waiting for a signal that you need help.
- Take affirmative responsibility for your alcohol and/or drug consumption. Alcohol and drugs can increase your vulnerability to sexual victimization.
- Look out for your friends and ask them to look out for you. Respect them and ask them to respect you but be willing to challenge each other about high-risk choices.

Registered Sex Offender Information

In conjunction with the Campus Sex Crimes Prevention Act, the District of Columbia enacted the Sex Offender Registration Act of 1999, which authorized the Metropolitan Police Department to release sex offender information to the public. A list of Class A registered sex offenders is provided on the Metropolitan Police Department's web site as a service to the community at <http://sexoffender.dc.gov/>

WEAPONS POLICY

Illegal or Unauthorized Possession of Firearms, Explosives, Other Weapons, or Dangerous Chemicals on University Property - This includes the illegal or unauthorized possession, storage, or use of any kind of ammunition, firearms, explosives, flammable or highly combustible materials, dangerous chemicals, fireworks, martial arts weapons, sling shots, bows and arrows, sabers, swords, knives with blades in excess of three (3) inches except for kitchen knives used in preparation/serving of food, paint, pellet, or Taser guns, "toy" or realistic replica of a real weapon, and other weapons, or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.

As a private university, Gallaudet is permitted to impose a more stringent weapons policy than on public property. Please note that certain items and behaviors that are legal under District of Columbia law are prohibited on the Gallaudet campus and that appropriate disciplinary action will be pursued if an individual is found to have violated the Gallaudet weapons policy.

ALCOHOL AND OTHER DRUG POLICIES

Alcohol and Other Drugs on Campus

Gallaudet University is committed to providing a campus environment that is free from illegal or abusive use of alcohol and other drugs. In doing so, Gallaudet University will implement disciplinary procedures against those who violate University policy related to the illegal or abusive use of alcohol and other drugs and those who interfere with the rights of other students to live and learn in a drug-free environment. In compliance with the Federal Drug-Free Schools and Communities Act, this handbook contains Gallaudet's policies on alcohol and other drugs, applicable laws as well as disciplinary sanctions/legal penalties related to the use, possession and distribution of alcohol and other drugs; information about the risks and effects of drug and alcohol use and dependence; and resources to assist students who may be having a problem with alcohol or other drugs. You are encouraged to read this information in its entirety, as each member of the campus community is responsible for complying with Gallaudet's policy and applicable laws. Ignorance of such rules will not reduce accountability. More importantly, you owe it to yourself.

University Policies

The Student Code of Conduct in the Student Handbook clearly prohibits the following on or off university premises and at university sponsored activities:

Use, Possession, Manufacturing, Sale, or Distribution of Illegal Drugs and/or Drug Paraphernalia - This includes the use, possession, distribution, manufacture, or processing of illegal or non-prescribed narcotics and/or hallucinogens except as expressly permitted by law. This also includes the aroma of marijuana, which is considered evidence of use. Marijuana - medicinal or otherwise - is illegal on campuses that receive Federal funding (which requires it to follow the Federal Drug-Free Schools and Campuses Act). The University prohibits the possession or use of medical marijuana on campus premises even if medical marijuana becomes legal in the District of Columbia. The possession, use, and/or aroma of synthetic marijuana is also prohibited. Use or possession of drug paraphernalia is also prohibited.

Use, Possession, Manufacturing, or Distribution of Alcoholic Beverages - This includes public intoxication and use, possession, or consumption of intoxicants or the manufacture and/or distribution of alcoholic beverages contrary to circumstances and conditions specified by University Alcohol and Other Drugs Policies, residence hall policy, or as expressly permitted by law. Possession or use of kegs, beer balls, large punch bowls, or other common containers of alcoholic beverages of similar nature are prohibited.

Alcohol Policy

Within the regulations of the law and University policy, the choice of whether to drink or how much to drink is a decision of the student. Responsible use of alcohol is controlled behavior that displays self-respect of the drinker and respect toward those around him/her.

A person under 21 years of age in the United States may not purchase or attempt to purchase alcoholic beverages. It is illegal for minors to possess and/or drink alcoholic beverages in D.C. and anywhere on or off the Gallaudet University campus. A person may not sell, deliver, furnish, or otherwise provide alcoholic beverages to any person under 21 years of age. Drinking games and hazardous or disruptive conduct related to the use of alcoholic beverages is prohibited. Students and their guests of legal age may possess and consume alcoholic beverages in the privacy of their residence hall room (with the exception of selected residence halls that have been designated as "dry residence halls"), in Greek organization spaces on the third floor of Ely Center, or during on-campus student organization events that are supervised by Campus Activities. Under no circumstances are alcoholic beverages to be brought to or consumed in any other spaces on campus not defined above. Irresponsible alcohol use resulting in drunken and/or disorderly conduct is not acceptable and is subject to disciplinary action. Selling or serving alcohol on the Gallaudet University campus without permission is prohibited. "Hard liquor" is not permitted at student-organized events. Kegs and/or "party balls" are not permitted in the residence halls or in student organization spaces, even if it is empty and used for decorative purposes. It is illegal to sell alcohol on- or off-campus without a license from the D.C. Alcoholic Beverage Regulation Administration (ABRA) Board. For a complete copy of the policies and procedures that must be followed by student organizations when serving/selling alcohol on campus or at Gallaudet sponsored activities, contact the Campus Activities Office.

D.C. Codes Regarding Alcohol and Illegal Drugs

Gallaudet University will follow the D.C. Code concerning alcohol sale and usage. Highlights of the D.C. Code include the following:

Penalties for Illegal Possession or Distribution of Alcohol under D.C. Law in the District of Columbia:

- It is unlawful to consume or possess an alcoholic beverage in an open container in a public area or place of business not licensed to sell alcoholic beverages. Violations of this provision may result in a fine of up to \$500 and/or a prison term of up to 90 days (D.C. Code § 25-1001)
- People under age 21 are prohibited from possessing, drinking, purchasing, or attempting to purchase an alcoholic beverage. Persons are also prohibited from falsely representing their age to purchase alcohol or enter an establishment where alcohol is served. Violations of this law may result in a fine of up to \$1,000 and suspension of driving privileges for up to one year (D.C. Code § 25-1002).
- People who purchase, sell or in any other way deliver alcoholic beverages to persons under 21 may be fined up to \$5,000 and/or imprisoned for up to one year (D.C. Code § 25-785).

Penalties for Illegal Possession or Distribution of Illegal Drugs under D.C. Law in the District of Columbia:

- Intentional possession of a controlled substance (other than pursuant to a valid prescription), is punishable by a fine of up to \$1,000 and/or 180 days imprisonment. The intentional manufacture, distribution, or possession with intent to manufacture or distribute a controlled substance is punishable by prison terms ranging from not more than 180 days to not more than 30 years and/or fines ranging from not more than \$1,000 to not more than \$500,000 (D.C. Code § 48-904.01). Controlled substances are defined in D.C. Code § 48-901.02 and include drugs such as more than 2 oz. of marijuana, cocaine, crack, PCP, LSD, and other narcotics.
- People over age 21 who are found to have distributed a controlled substance to anyone under age 18 are subject to even heavier penalties (D.C. Code § 48-904.06).
- Anyone found to have enlisted or encouraged an individual under age 18 to distribute or sell any controlled substance is subject to an additional fine of \$10,000 and an additional prison term of up to 10 years.
- A finding that an individual has attempted to commit any of these offenses subjects the individual to the same fines and terms of imprisonment as if the crime were committed. Moreover, the D.C. government shall revoke the driver's license of all persons convicted under this law for a period of at least six months and up to two years.
- The use, possession, sale, or delivery of drug paraphernalia to prepare or use illegal controlled substances is prohibited and punishable by a fine of up to \$5,000 or a prison term of up to two years or both. Drug paraphernalia includes pipes, tubes, roach clips, cocaine spoons and vials, bongs, ice pipes or chillers, scales, blenders, bowls, containers, spoons and other devices used for mixing or compounding a controlled substance, and capsules, balloons, envelopes and any other containers used to package, use or store a controlled substance (D.C. Code §§ 48-1101, 48-1103).

Penalties for Illegal Possession or Distribution of Illegal Drugs under Federal Law (U.S. Code)

It is a violation of federal law to possess, manufacture, or distribute a controlled substance. Defined by federal statute, controlled substances include marijuana, cocaine, PCP, LSD, and other narcotics. A student or employee found guilty of possessing or distributing a controlled substance in violation of federal law may be subject to some or all the following sanctions:

- First conviction: Up to one year imprisonment and a fine of at least \$1,000 but not more than \$100,000, or both.
- With one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2,500 but not more than \$250,000, or both.
- After two or more prior drug convictions: At least 90 days in prison, not to exceed three years, and/or a fine of at least \$5,000 but not more than \$250,000 (21 U.S.C. § 844(a))
There are special sentencing requirements for crimes that involve the possession of crack cocaine. Convicted persons will receive a mandatory sentence of at least five years in prison, not to exceed twenty years, and/or will be fined up to \$250,000 if:

- it is the defendant's first conviction and the amount of crack possessed exceeds 5 grams; or,
- it is the defendant's second conviction and the amount of crack possessed exceeds 3 grams;
- it is the defendant's third or subsequent crack conviction and the amount of crack possessed exceeds 1 gram (21 U.S.C. §§ 853(a)(2), 881(a)(7)).

Federal law may also require forfeiture of property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment (21 U.S.C. § 881(a)(4)); forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance (21 U.S.C. § 844a); and civil fines of up to \$10,000 (21 U.S.C. § 853a).

Upon a drug conviction, the federal government may also deny or revoke federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, for up to one year for first offense, and up to five years for second and subsequent offenses, (18 U.S.C. § 922(g)).

A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance will not be eligible to receive any federal grants, loans, or work assistance for at least one year (for first conviction of possession) and possibly indefinitely (for third/subsequent conviction of possession or second/subsequent conviction of sale) (20 U.S.C. §1091(r)).

For a complete reading of the relevant codes pertaining to alcohol and other drugs, please refer to both the District of Columbia and/or the United States Code.

Office of Residence Life and Housing Policies Related to Alcoholic Beverages and Other Drugs

Residence Life and Housing policies govern the use, possession, or distribution of alcoholic beverages and other drugs in the residence halls. The policies are as follows:

Dry Residence Halls - Gallaudet University has "dry residence halls" where no alcoholic beverages are permitted, regardless of the age of the residents in those residence halls. The residence halls designated for freshmen students are the designated "dry residence halls" on campus.

Empty Alcohol Bottles or Cans - Residents in dry residence halls or rooms occupied entirely by underage residents cannot possess any empty alcoholic bottles and/or cans in their rooms, even if they are used for decorative purposes. Discovery of such alcoholic bottles and/or cans, in violation of this policy, will result in their confiscation and issuance of points and/or penalty assessment.

Alcoholic Beverages - Students are expected to follow the D.C. Codes and University policies that relate to alcoholic beverages. Students and their guests of legal age may possess and consume alcoholic beverages in the privacy of their residence hall room. Students in the residence halls shall not sell, offer for sale, or offer as credit purchase any alcoholic beverages. An admission

charge to pay for alcohol or related party expenses where alcohol is present or served is prohibited. Residents serving alcohol to underage individuals are subject to disciplinary action. No opened bottles or cans of alcoholic beverages are allowed in common areas (hallways, elevators, stairwells, public restrooms, lounges, and lobby areas of the residence halls). Kegs of beer (any containers requiring taps to operate) and/or "party balls" are not permitted in any residence halls, even if it is empty and used for decorative purposes. The number of students attending a private party is limited to four (4) times the occupancy rate of a student room. Concealment activities, including the use of mouthwash prior to a voluntary breathalyzer test or an alcohol strip test will be considered as evidence of use. Gallaudet University has every legal right to take whatever disciplinary actions are necessary. The Residence Life staff is expected to confront and report any violations. Fleeing from the scene of an alleged violation or refusing to provide valid identification when a university official is present will be considered relevant information used to verify the student's consumption and/or knowing presence during the alleged underage consumption of alcohol or other alleged alcohol policy violations. Positive visual identification will be considered in such instances.

Drugs - The possession, use, manufacture, and/or selling of an illicit drug is against Federal regulations and will not be tolerated on university premises. Possession of drug paraphernalia (e.g., hookahs, bongs, pipes, or homemade equipment) regardless of intended use, drug remnants (e.g., marijuana seeds, stems, or resin) in the presence of marijuana use (including but not limited to drug paraphernalia, or residue (seeds, stems or resin) will be held responsible. Concealment activities (such as but not limited to, placing a plastic bag over a room smoke detector or otherwise interfering with the operation of the smoke detector; fan in the window blowing air out of the room; open window when the outside temperatures are not suitable for it, placing towels or similar barriers under the room door; the smell of air fresheners/perfume, incense, candles, etc.) may be considered as confirmation of illegal use of marijuana. The possession, use, and/or aroma of synthetic marijuana (commonly known as K2 or Spice) is also prohibited. Gallaudet University has every legal right to take whatever disciplinary actions are necessary. The Residence Life staff are expected to confront and report any violations. Fleeing from the scene of an alleged violation or refusing to provide valid identification when a university official is present may be considered relevant information used to verify the student's use and/or knowing presence during the alleged use of illegal drugs. Positive visual identification will be considered in such instances.

Mandatory Alcohol and/or Other Drug Educational Program

As an educational component of the University's discipline process, students involved in alcohol and/or other drug violations are required to participate in the University's alcohol and/or other drugs educational program.

Satisfactory completion of on-line educational courses, alcohol and other drugs educational workshops, and/or counseling assessments assigned is mandatory for students required to participate in the program because of university disciplinary action, in addition to any fine and/or other sanctions that may have been imposed. Failure to comply with a mandatory requirement by the stated deadline will result in additional disciplinary action imposed by the University,

which may include the loss of off-campus housing privileges, residence hall privileges, or University suspension.

STUDENT ACCOUNTABILITY AND RESTORATIVE PRACTICES

It is in the best interests of Gallaudet University and the members of the University community for the University to function as a self-regulated community in an orderly environment. Assurance that sanctions will be promptly imposed on those found responsible for misconduct will help the University preserve order. Having its own responsible student conduct system that follows established procedures will enable the University to deal with internal matters of student discipline. Further, it can deal with such misconduct in ways that encourage positive learning from the experience.

Through a system of SARP and administrative review, students, staff, faculty, and/or administrators can participate in the SARP program to resolve complaints made against students. Underlying the program is a deep regard for discipline as a constructive element of education. Starting another way, the philosophy of this program is based on the belief that a disciplinary problem should be handled to maximize the educational experience of the students involved. Such an approach does not eliminate punitive action, including suspension or expulsion, as the prescribed disciplinary sanction. It recognizes that the University must protect itself by appropriate means from individuals whose behavior is contrary to the best interests of the University and its community.

It is the intent of the student conduct program that the University, in handling its disciplinary problems, will continue the use of discussion, counseling, conciliation, mediation, and other existing procedures, if such measures prove effective. The other provisions of the program will be set in motion in such instances when the informal procedures prove to be, or manifestly appear to be, ineffective, or inappropriate.

Alternative Dispute Resolution

The University believes the conciliation or mediation of disputes will encourage reporting and resolution of complaints. Conciliation or mediation is appropriate when all parties involved-the complainant(s) and respondent(s)-voluntarily agree to engage in this alternative dispute resolution process and the coordinator (or Director) of SARP agrees that it is an acceptable alternative to resolve the complaint. Mediation is not an appropriate resolution for cases involving complaints of sexual assault or other serious violations of the Student Code of Conduct; the coordinator (or Director) of SARP will decide of whether conciliation or mediation is appropriate on a case-by-case basis.

Conciliation or mediation will involve resolution of the incident, and the resolution may include mutually agreeable sanctions if appropriate. Conciliation or mediation agreements are final, and there will be no subsequent proceedings. If conciliation or mediation does not resolve the situation or if the conciliation or mediation agreements are not adhered to, the case will be adjudicated utilizing established disciplinary proceedings as described below.

Disciplinary Proceedings

Any member of the University community (administration, faculty, staff, and students) may make a formal complaint against any student(s) for alleged violations of the Student Code of Conduct. All allegations of violations should be prepared in writing and directed to the Coordinator of SARP (or the Director of SARP if the Coordinator of SARP is unable to serve in this capacity); however, the coordinator (or Director) of SARP will not accept anonymous complaints. Complaints alleging gender-based or sexual misconduct will be referred to and investigated by the Title IX Coordinator or the Deputy Title IX Coordinator for Students, and the procedures for handling such complaints can be found under the Gender-Based and Sexual Misconduct Policy and Procedures section of the online student handbook at [University Policies & Procedures](#). People should refer to appropriate materials available online or in print for procedures for the resolution of such complaints. Those requesting charges are normally expected to serve as the complainant, and to present relevant information in disciplinary conferences and/or hearings. In addition, any allegation of violations should be submitted as soon as possible after the event takes place. The Coordinator (or Director) of SARP will evaluate all the information, which may include interviews with involved parties and the collection of relevant information as the Coordinator (or Director) of SARP deems necessary, to determine if the reported allegation(s) has merit and/or if they can be disposed of administratively by conciliation, mediation, or mutual consent of the parties involved on a basis acceptable to the Coordinator (or Director) of SARP. If the charges are not admitted and/or cannot be disposed of by mutual consent, the coordinator (or Director) of SARP may later serve in the same manner as a non-voting member of the SARP in a hearing. The coordinator (or Director) of SARP may refuse to grant hearings on complaints resulting from incidents that occurred at a time too distant from the date of the filing of charges, or when information or testimony is too vague. Complaints generally should be made within 30 business days after discovery of the alleged violation and/or identification of the alleged violator.

A student charged for alleged violation(s) of the SARP will be entitled to a disciplinary conference or disciplinary hearing. The coordinator (or Director) of SARP will decide whether a disciplinary conference or disciplinary hearing will be held, based on the range of sanctions that may be issued for the violation. The coordinator (or Director) of SARP will serve as the hearing officer for the disciplinary conference or as a member of the SARP at all disciplinary hearings. In rare occasions, the Director of SARP will assume all roles and responsibilities in the disciplinary process if the Coordinator of SARP is unable to serve in that capacity and the case cannot be rescheduled within a reasonable time.

Formal rules of process, procedures, and/or technical rules of evidence, such as are applied in criminal and civil court, are not used in the SARP disciplinary proceedings.

Disciplinary Conference

In instances where a student is charged with alleged SARP violations that will likely result in a sanction less than removal from university housing, University suspension, or expulsion, the student will be entitled to a disciplinary conference. Minor residence hall violations are usually

handled in this manner (for more information on residence hall disciplinary conferences, see pp. 141-142). A disciplinary conference will normally consist of an informal meeting between the respondent and the Coordinator of SARP (or the Director of SARP, if the coordinator of SARP is unable to serve in this capacity), who will serve as hearing officer. The coordinator (or Director) of SARP will gather all information necessary to make a just decision in the case. If the Coordinator (or Director) of SARP determines that the student is responsible for the violation, the coordinator (or Director) of SARP will impose sanctions appropriate for the violation.

Disciplinary Conference Procedures

The following procedural guidelines are established for respondents charged with violations of the Student Code of Conduct and assigned to a disciplinary conference through SARP:

- A. The student will be notified by the coordinator (or Director) of SARP or his/her designee that a complaint has been made. The coordinator (or Director) will provide the student with a written statement with the name of the complainant (person(s) or the University), the procedures for resolving the complaint, and the range of sanctions that may be imposed.
- B. The student must make an appointment for a pre-disciplinary conference meeting with the coordinator (or Director) of SARP no later than three business days after the letter is received.
- C. If the student fails to arrange a meeting with the coordinator (or Director) of SARP within three business days after receipt of the letter or fails to show up at the scheduled disciplinary conference, information in support of the charge(s) will be presented and considered.
- D. The student will be informed by the Coordinator (or Director) of SARP of two possible ways to handle the case: 1) appear at a scheduled disciplinary conference and present his/her case before the Coordinator (or Director) of SARP, or 2) accept responsibility for the violation(s) as charged, waive his/her right to a disciplinary conference and presenting witnesses on his/her behalf, and accept sanctions imposed by the Coordinator (or Director) of SARP.
- E. The student will be notified at least 72 hours in advance of the time, date, and place of the disciplinary conference. All disciplinary conferences will be conducted privately.
- F. A single disciplinary conference may be held for more than one person charged in a case arising out of a single or multiple occurrence(s). The coordinator (or Director) of SARP will make such determinations. However, each student retains the right to have his/her case heard individually.
- G. The student will have reasonable access to information pertaining to the case prior to and during the disciplinary conference.
- H. The student may appear in person and present relevant information to the coordinator (or Director) of SARP and may call witnesses. The students will have the opportunity to hear and question all participants at the conference. Should the student elect not to appear at the conference, it will be held in the absence of the student. In such instances,

the information in support of the charge(s) will be present and considered even if the student is not present.

- I. The student may be accompanied by an advisor (the advisor will be a member of the full-time faculty, staff, or student body of Gallaudet University, but not a lawyer). The student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in the disciplinary conference. Advisors may confer with a student only when there is not a question on the table or a response pending from the student. A student should select an advisor or a person whose schedule allows attendance at the scheduled date and time of the disciplinary conference because delays will not be considered due to the scheduling conflicts of an advisor. Violations of any restrictions for advisors will result in the advisor being removed from the disciplinary conference at the discretion of the coordinator (or Director) of SARP.
- J. Formal rules of processes, procedures, and/or technical rules of evidence will not be applicable to disciplinary conferences. Any information or testimony the coordinator (or Director) of SARP believes to be relevant may be considered.
- K. After the disciplinary conference, the coordinator (or Director) of SARP will determine whether the student is responsible for the violation with which he/she is charged. The coordinator (or Director) of SARP's determination will be made based on whether it is more likely than not that the student violated the Student Code of Conduct.
- L. The student will be informed of the right to appeal a decision to the Associate Dean of Student Center Programs and Services (or the Dean of Student Affairs and Academic Support, if the Associate Dean served as hearing officer in the case). A decision or judgment of the coordinator (or Director) of SARP may be appealed to by either or both of the parties involved on the following grounds:
 - The disciplinary conference was not conducted fairly and in conformity with prescribed procedures, which made it unfair. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant unfairness results.
 - There is new or newly discovered information that could not have been produced at the conference. In order for the Associate Dean of Student Center Programs and Services (or the Dean of Student Affairs and Academic Support, if the Associate Dean served as hearing officer in the case) to consider new information sufficient to alter a decision, or other relevant facts not brought out in the original conference, such information and/or facts must not have been known at the time of the original conference by the appellant.
 - The decision was or was not supported by substantial information considering the record. That is, the facts in the case were or were not sufficient to establish that a violation of the Student Code of Conduct occurred.
 - The sanction imposed was excessive or insufficient and not appropriate for the violation.

An appeal must be in writing, must indicate the basis of the appeal with an explanation, and must be made within five business days of the date the parties were notified of the decision. In an

appeal case, sanctions assessed by the initial Coordinator (or Director) of SARP may be held in suspense until acted upon in appeal. The appeal will be reviewed by the Associate Dean of Student Center Programs and Services (or Dean of Student Affairs and Academic Support if the Associate Dean served as the hearing officer), and he or she may affirm or reverse the decision, or modify the sanction originally determined. The Associate Dean of Student Center Programs and Services (or Dean of Student Affairs and Academic Support if the Associate Dean served as the hearing officer) may decide to remand the matter back to the coordinator (or Director) of SARP to reopen the hearing, if appropriate. The coordinator (or Director) of SARP will convey pertinent information related to the case. The decision of the Associate Dean of Student Center Programs and Services (or Dean of Student Affairs and Academic Support if the Associate Dean served as the hearing officer) is final and is not appealable.

All disciplines will be closed to the public to protect the confidential nature of the proceedings.

Because of time concerns and the expenses, it would incur, provisions for written transcripts of disciplinary conferences are not required.

The coordinator (or Director) of SARP will determine the rules of procedures in addition to those stated herein, and all procedural questions are subject to his/her final decision.

Disciplinary Hearings

In instances where a student is charged with alleged Student Code of Conduct violations that will likely result in a range of sanctions that may include residence hall suspension, University suspension, or expulsion, the student will be entitled to a disciplinary hearing. A disciplinary hearing will involve a SARP or an Administrative SARP Board.

SARP Conduct Board

The SARP Board is a fact-finding and decision-making body consisting of members of the University community (faculty, staff, and/or students who have been selected and received training by SARP), a non-voting Student SARP representative, and a non-voting Coordinator of SARP (or the Director of SARP, if the Coordinator of SARP is unable to serve in this capacity). The non-voting Coordinator (or Director) of SARP will serve as the hearing official and as a consultant to the Board. The members of the SARP Board have the responsibility for hearing complaints against students, determining whether a student is, more likely than not, responsible for a violation of the Student Code of Conduct, and recommending disciplinary sanctions to the coordinator (or Director) of SARP.

Administrative SARP Board

The Administrative SARP Board consists of faculty and/or staff representatives and the Coordinator of SARP (or the Director of SARP, if the Coordinator of SARP is unable to serve in this capacity). The non-voting Coordinator (or Director) of SARP will serve as the hearing official and

as a consultant to the Board. This Board, which meets when the Student SARP Board cannot meet and hear a case, is empowered to make decisions and recommend disciplinary sanctions.

Disciplinary Hearing Procedures

The following procedural guidelines are established for the direction of all people and boards conducting disciplinary hearings on complaints against a student at Gallaudet University.

- A. The student will be notified by the coordinator (or Director) of SARP that a complaint has been made. The coordinator (or Director) will provide the student with a written statement containing the name of the complainant (person(s) or the University), the procedures for resolving the conflict, and the range of sanctions that may be imposed.
- B. The student must make an appointment for a pre-hearing meeting with the coordinator (or Director) of SARP or his/her designee no later than five business days after the letter is received.
- C. If the student fails to arrange a meeting with the coordinator (or Director) of SARP within five business days after receipt of the letter or fails to show up at the scheduled pre-hearing meeting to decide how the case will be handled, information in support of the charge(s) will be presented and considered, and a decision will be made in the student's absence.
- D. The student will be informed by the coordinator (or Director) of SARP of two possible ways to handle the case: 1) appear at a scheduled hearing and present his/her case before the Student Conduct Board, 2) accept responsibility for the violation(s) as charged, waive his/her right to a hearing and presenting witnesses on their behalf, and accept sanctions imposed by the Coordinator (or Director) of SARP. In the event of scheduling difficulties or special circumstances warranting it, the complaint may be heard and action decided by an Administrative SARP Board hearing.
- E. The student will be notified at least 72 hours in advance of the time, date, and place of the hearing. Hearings will be conducted in private.
- F. A single hearing may be held for more than one person charged in cases arising out of a single or multiple occurrence(s). The coordinator (or Director) of SARP will make such determinations. However, each student retains the right to have his/her case heard individually.
- G. The student will have reasonable access to inspect and review information pertaining to the case prior to and during the disciplinary hearing.
- H. The student may appear in person and present relevant information to the SARP Board and may call witnesses. While efforts will be made to accommodate the schedules of all parties involved, scheduling conflicts or failure of witnesses to appear will not constitute grounds for a continuance of the hearing. The students will have the opportunity to hear and question all participants at the hearing. Should the student elect not to appear at the hearing, it will be held in the absence of the student. In such instances, the information in support of the charge(s) will be presented and considered even if the student is not present.

- I. Students may be accompanied by an advisor (the advisor will be a member of the full-time faculty, staff, or student body of Gallaudet University, but not a lawyer). The student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in the disciplinary hearing. Advisors may confer with a student only when there is not a question on the table or a response pending from the student. In consideration of the limited role of an advisor, a student should select an advisor or a person whose schedule allows attendance at the scheduled date and time of the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor. Violations of any restrictions for advisors will result in the advisor being removed from the hearing at the discretion of the coordinator (or Director) of SARP.
- J. The Board may, by majority vote, limit the number of witnesses because of redundancy or irrelevancy.
- K. The student may remain silent to preserve the right against self-incrimination. In such cases, other available information will be considered.
- L. Formal rules of processes, procedures, and/or technical rules of evidence will not be applicable to campus disciplinary proceedings conducted pursuant to this Code. Any information or testimony the Board or the Coordinator (or Director) of SARP believes to be relevant may be considered.
- M. The Student SARP Board may accommodate concerns for the personal safety, well-being, and or/genuine fears of confrontation of the complainant, respondent, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, videophone, closed circuit television, or video conferences, as determined to be appropriate by the sole judgment of the coordinator (or Director) of SARP.
- N. The coordinator (or Director) of SARP will exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the hearing. Any person, including the respondent, who disrupts a hearing, may be excluded by the coordinator (or Director) of SARP.
- O. After the hearing, the Student SARP Board will determine whether the student is responsible for the violation with which he/she is charged. All parties, the witnesses, and the public will be excluded during Board deliberations. The Student SARP Board's determination will be made based on whether it is more likely than not that the accused student violated the Student Code of Conduct. The burden of proof rests on the complainant. The respondent will be entitled to a verbal explanation of any decision, and a letter summarizing the decision and any disciplinary sanctions, if applicable, will also be sent to the respondent except in certain cases where the complainant will also receive a letter summarizing the decision and any disciplinary sanctions, if applicable.
- P. The student will be informed of the right to appeal a decision to the Dean of Student Affairs and Academic Support. A decision or judgment of the SARP Board or the Coordinator (or Director) of SARP may be appealed to by either or both of the parties involved on the following grounds:
 - The Student SARP Board hearing was not conducted fairly and in conformity with prescribed procedures, which made it unfair. Deviations from designated

procedures will not be a basis for sustaining an appeal unless significant unfairness results.

- There is new or newly discovered information that could not have been produced at the hearing. In order for the Dean of Student Affairs and Academic Support or his/her designee to consider new information sufficient to alter a decision, or other relevant facts not brought out in the original hearing, such information and/or facts must not have been known at the time of the original hearing by the appellant.
- The decision was or was not supported by substantial information considering the record. That is, the facts in the case were or were not sufficient to establish that a violation of the Student Code of Conduct occurred.
- The sanction imposed was excessive or insufficient and not appropriate for the violation.

An appeal must be in writing, must indicate the basis of the appeal with an explanation, and must be made within five business days of the date the parties were notified of the decision. In an appeal case, action assessed by the initial SARP Board or the Coordinator (or Director) of SARP may be held in suspense until acted upon in appeal, at the discretion of the Dean of Student Affairs and Academic Support or his/her designee. The coordinator (or Director) of SARP will convey pertinent information to the Dean of Student Affairs and Academic Support or his/her designee. The Dean of Student Affairs and Academic Support or his/her designee may affirm or reverse the decision, or modify the sanction originally assessed. The Dean of Student Affairs and Academic Support or his/her designee may decide to remand the matter back to the coordinator (or Director) of SARP to reopen the hearing, if appropriate. The decision of the Dean of Student Affairs and Academic Support or his/her designee is final and is not appealable.

No release of information about a case heard by a Student Conduct Board is permitted except jointly by the coordinator (or Director) of SARP and a higher administrative authority.

All SARP hearings will be closed to the public to protect the confidential nature of the proceedings.

Any SARP Board member will elect to abstain from participation in a hearing when the member has a duality of interest in the case or a personal reason that precludes participation without prejudice. Any party may challenge a SARP board member on the grounds of personal bias prior to the beginning of the hearing. A board member or members may be disqualified by the coordinator (or Director) of SARP upon majority vote of the voting members, conducted by secret ballot.

Because of time concerns and the expenses, it would incur, provision for written transcripts of campus disciplinary hearings is not required.

The SARP Board and/or Coordinator (or Director) of SARP will determine the rules of procedure in addition to those stated herein, and all procedural questions are subject to the final decision of the coordinator (or Director) of SARP.

Disciplinary Sanctions

If a SARP Board or the Coordinator (or Director) of SARP decides that a student should be disciplined, the disciplinary action should be consistent with the severity of the offense. Attempts to commit acts prohibited by the Student Code of Conduct may be disciplined to the same extent as complete violations. Following are sanctions recognized by Gallaudet University; the Board or the Coordinator (or Director) of SARP may implement other sanctions instead of or in addition to those specified below:

- A. **Disciplinary Reprimand** - Verbal warning or written notification to a student that he/she has violated a university rule or policy and that subsequent wrongful conduct will not be tolerated and may result in severe disciplinary action.
- B. **Rehabilitative Probation** - A period, not to exceed one year, during which the student is required to control questionable behavior. Probation is for a designated period and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
- C. **Discretionary Sanctions** - Work assignments, essays, educational projects, service to Gallaudet University, prohibition from hosting an event including alcohol on or off campus, or other discretionary assignments.
- D. **Restitution** - Reimbursement for damages to or misappropriation of property and/or compensation for injury. This may take the form of appropriate service and/or monetary or material replacement.
- E. **Fines or Loss of Housing Priority Points** - Previously established fines or a specific amount decided upon by the Office of Student Conduct and/or the Office of Residence Life and Housing may be imposed. A demotion of a student's housing priority points for room selection by a specific number of points may be issued.
- F. **Disciplinary Probation** - A specified trial period during which a student whose conduct has been found wrongful can prove that he/she can uphold University rules and policies. It may exclude a student from participation in privileged and/or extracurricular activities as set forth in the notice for the specified period. Students found responsible for violations involving alcohol and other drugs will be referred to the alcohol and other drugs educational programs and counseling offered by the University. Failure to attend will result in charges for failure to comply with the Board's decision. The terms imply that violation of any provision in the Student Code of Conduct would be viewed not only as a violation of the regulation itself, but also as a violation of the probation and would most likely result in his/her suspension from the University.
- G. **Residence Hall Suspension** - Separation of the student from the residence halls for a definite period after which the student is eligible to return. The student will be required to depart the residence halls within 72 hours or otherwise as specified by university

administration. Conditions for readmission may be specified, and a ban from the residence halls may be imposed. As part of the sanction, suspension does not result in a prorated room refund according to regular University policy.

- H. **Deferred Residence Hall Suspension** - A suspension that becomes effective after a specified date. This action is appropriate near the end of the semester to avoid financial and housing hardships that an immediate suspension often entails.
- I. **Residence Hall Expulsion** - Permanent separation of the student from the residence halls. A ban on the residence halls will also be imposed.
- J. **Loss of Off-Campus Housing Privileges** - The loss of the privilege to live off-campus for a specific period. The sanction stipulates that the student must have a housing assignment on campus to maintain student status.
- K. **University Suspension** - The immediate removal of the privilege to attend Gallaudet University for some specific minimum period. The student must sever connections completely with the University. The suspended student may also be placed on persona non grata status (see definition of persona non grata below). At the end of the suspension, a student may apply for readmission. The suspended student is expected to inform the vocational rehabilitation counselor or other agencies through which financial assistance is received. As part of the sanction, suspension does not result in a prorated room refund according to regular University policy.
- L. **Deferred University Suspension** - A suspension that becomes effective after a specified date. This action is appropriate near the end of a semester to avoid financial and housing hardships that an immediate suspension often entails.
- M. **Expulsion** - Permanent dismissal from Gallaudet University. Procedures to petition this sanction are like those for suspension. As part of the sanction, expulsion does not result in a prorated room refund according to university policy.
- N. **Access Restriction** - Prohibition from entering certain buildings or the residence halls for any reason. Failure to comply with the terms would result in the person being removed from the premises and being charged for violating this regulation.
- O. **Campus Access Restriction (formally PNG-Persona Non Grata)** - Prohibition from entering campus premises and attending all University-sponsored activities on- and off-campus for any reason. Failure to comply with the terms would result in the person being removed from the premises by the Department of Public Safety and/or being charged in D.C. with criminal trespass.
- P. **Community Service** - Work assignments may be a part of disciplinary probation or may be imposed as an independent sanction. Community service hours completed will not count towards fulfilling the students' community service requirements for graduation. If the student does not complete the community service assignment by the assigned completion date, a charge of non-compliance of a university decision will result.

A student's disciplinary history and prior record may be considered a factor for more severe sanctions, if appropriate.

Hearing Procedures for Student Organizations

The discipline of student organizations is incorporated into the general Student Code of Conduct of Gallaudet University and operates according to rules of that system. The University may carry out disciplinary proceedings and impose disciplinary sanctions on a student organization or recognized club found responsible for violation(s) of the Student Code of Conduct without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Any member of the University community may file charges against an organization for misconduct. Charges should be prepared in writing and directed at the coordinator of SARP (or Director of SARP if the coordinator of SARP is unable to serve in this capacity). Any charge should be submitted as soon as possible after the event takes place.

The coordinator (or Director) of SARP may investigate to decide whether a formal charge will be brought against the organization. The coordinator (or Director) of SARP may refuse to grant hearings on complaints about incidents that occur at a time too distant from the date of the filing of charges or when information or testimony is too vague.

The following procedural guidelines are established for the direction of all people and boards conduct formal hearings on disciplinary complaints against a student organization at Gallaudet University.

- A. The organization will be notified by the coordinator (or Director) of SARP that a disciplinary complaint has been filed. The president/chair of an organization and/or his/her designee will represent the organization in any proceedings involving alleged violations of the Student Code of Conduct by the organization.
An appointment for a pre-hearing meeting with the coordinator (or Director) of SARP must be made no later than five business days after the letter is received. If a meeting with the coordinator (or Director) of SARP is not arranged within five business days after receipt of the letter, or if the organization fails to show up at the scheduled pre-hearing meeting to decide how the case will be handled, information in support of the charge(s) will be presented and considered, and a decision will be made in the student organization representative's absence.
- B. The coordinator (or Director) of SARP may investigate to determine if the charges have merit and/or if they can be disposed of through a mediation committee established for this purpose on a basis acceptable to the coordinator (or Director) of SARP. The mediation committee will be chaired by a staff or faculty member selected by the coordinator (or Director) of SARP. If the charges are disposed of by mutual consent through the mediation committee, such disposition will be final, and there will be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the charges will be handled by the SARP Board or Coordinator (or Director) of SARP. The coordinator (or Director) of SARP, if present at the mediation committee, may later serve in the same manner as a non-voting member of the SARP Board in a hearing.
- C. The organization will be informed by the Coordinator (or Director) of SARP, in cases where a complaint appears to represent substantial misconduct, of two possible ways to handle

the case: 1) appear at a scheduled hearing and present its case before the SARP Board; or 2) Accept responsibility for the violation(s) as charged, waive the right to a hearing and present witnesses on your behalf and accept sanctions imposed by the Coordinator (or Director) of SARP. In the event of scheduling difficulties or special circumstances, the complaint may be heard and action decided by an Administrative SARP Board.

- D. The president/chair of the organization and/or his/her designee may appear in person and present relevant information to the coordinator (or Director) of SARP or the SARP Board and may call witnesses. While efforts will be made to accommodate the schedules of all parties involved, scheduling conflicts or the failure of witnesses to appear will not constitute grounds for the continuance of the hearing. The designated representatives are responsible for presenting their cases and will have the opportunity to hear and question all participants at the hearing. Should the designated representatives of the organization elect not to appear at the hearing, it will be held in their absence. The failure of an organization to appear may be a factor considered.
- E. The designated representatives of the organization may be accompanied by an advisor (the advisor will be a member of the full-time faculty, staff, or student body of Gallaudet University, but not a lawyer). The designated representatives of the organizations are responsible for presenting information during the hearing, and therefore, advisors are not permitted to speak or to participate directly in the disciplinary hearing. Advisors may confer with a student only when there is not a question on the table or a response pending from the student. In consideration of the limited role of an advisor, the organization should select an advisor or a person whose schedule allows attendance at the scheduled date and time of the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor. Violations of any restrictions for advisors will result in the advisor being removed from the hearing at the discretion of the coordinator (or Director) of SARP.
- F. The organization may remain silent to preserve the right against self-incrimination. In such cases, other available information will be considered.
- G. Formal rules of processes, procedures, and/or technical rules of evidence will not be applicable to campus disciplinary proceedings conducted pursuant to this Code. Any information or testimony the Board or the Coordinator (or Director) of SARP believes to be relevant may be considered.
- H. The coordinator (or Director) of SARP will exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the hearing. Any person, including the representative of the student organization (the respondent), who disrupts a hearing may be excluded by the coordinator (or Director) of SARP.
- I. After the hearing, the SARP Board will determine whether the organization is responsible for the violation with which it is charged and will recommend sanctions, if any, to the coordinator (or Director) of SARP from the range of sanctions applicable for student organizations. All parties, the witnesses, and the public will be excluded during Board deliberations. The SARP Board's determination will be made based on whether it is more likely than not that the accused organization violated the Student Code of Conduct. If the SARP Board, Coordinator (or Director) of SARP, or the mediation committee participants decide that a violation did occur, but the organization is not responsible for the violation,

the complainant may proceed with charges against individual(s) through the SARP program in accordance with guidelines in the Student Code of Conduct. The student organization will be entitled to a verbal explanation of any decision, and a letter summarizing the decision and any disciplinary sanctions, if applicable, will be sent to the student organization except in certain cases (e.g. sexual misconduct) where the complainant will also receive a letter summarizing the decision and any disciplinary sanctions, if applicable.

J. The organization will be informed of the right to appeal a decision. A decision or judgment of the SARP Board or the Coordinator (or Director) of SARP may be appealed to the Dean of Student Affairs and Academic Support. A decision or judgment of the SARP Board or the Coordinator (or Director) of SARP may be appealed by either or both opposing parties upon the following grounds:

- The SARP Board hearing was not conducted fairly and in conformity with prescribed procedures, which made it unfair. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant unfairness results.
- There is new or newly discovered information that could not have been produced at the hearing. For the Dean of Student Affairs and Academic Support or his/her designee to consider new information sufficient to alter a decision, or other relevant facts not brought out in the original hearing, such information and/or facts must not have been known at the time of the original hearing by the appellant.
- The decision was or was not supported by substantial information considering the record. That is, the facts in the case were or were not sufficient to establish that a violation of the Student Code of Conduct occurred.
- The sanction imposed was excessive or insufficient and not appropriate for the violation.

An appeal must be in writing, must indicate the basis of the appeal with an explanation, and must be made within five business days of the date the parties were notified of the decision. In an appeal case, action assessed by the initial SARP Board or the Coordinator (or Director) of SARP may be held in suspense until acted upon in appeal, at the discretion of the Dean of Student Affairs and Academic Support or his/her designee. The Dean of Student Affairs and Academic Support or his/her designee may affirm, reverse, or modify the sanction originally assessed. The coordinator (or Director) of SARP will convey pertinent information to the Dean of Student Affairs and Academic Support or his/her designee. The decision of the Dean of Student Affairs and Academic Support or his/her designee is final and is not appealable.

All SARP hearings will be closed to the public to protect the confidential nature of the proceedings.

Any SARP Board member will elect to abstain from participation in a hearing when the member has a duality of interest in the case or a personal reason that precludes participation without prejudice. Any party may challenge a SARP Board member on the grounds of personal bias prior to the beginning of the hearing. A board member or members may be disqualified by the coordinator (or Director) of SARP upon majority vote of the voting members, conducted by secret ballot.

Determinations made or sanctions imposed under the Student Code of Conduct will not be subject to change or challenge because criminal charges arising out of the same fact-giving rise to violation of University rules are pending, were dismissed, reduced, or resolved in favor of/against the criminal law defendant.

Because of time concerns and the expenses, it would incur, provision for written transcripts of campus disciplinary hearings is not required.

The SARP Board, mediation committee, and/or Coordinator (or Director) of SARP will determine the rules of procedure in addition to those stated herein and all procedural questions are subject to the final decision of the coordinator (or Director) of SARP.

Disciplinary Sanctions

If a SARP Board or the Coordinator (or Director) of SARP decides that a student organization should be disciplined, the disciplinary action should be consistent with the severity of the offense. Following are sanctions recognized by Gallaudet University; the Board or the Coordinator (or Director) of SARP may implement other sanctions instead of or in addition to those specified below:

- A. **Permanent Revocation of Organizational Registration** - The organization will not be represented on any student or University organization, board, or committee. Office or housing space assigned by the University will be vacated within ten (10) business days from the date the notice of revocation is mailed. Space vacated due to this permanent revocation may be reassigned by the University.
- B. **Suspension** - Denial of rights and privileges of a registered organization. Any organization whose registration is suspended must cease all organizational activities upon receiving this sanction. Any member of a suspended organization may not hold an appointed or elected office as a representative of the suspended organization in any other organization or committee for the duration of the organization's period of suspension. The organization may be asked to vacate office or housing space assigned by the University. Office or housing space assigned prior to suspension will not automatically be reassigned. The organization may reapply for space assignments, subject to availability. Suspended organizations will automatically be placed on disciplinary probation for a minimum of one academic year following their renewed registration and may be subject to conditions and/or restrictions during the probationary status.

- C. **Disciplinary Probation** - A period of review and observation during which the student organization whose conduct has been found wrongful will be granted the opportunity to prove that it can uphold University rules and policies. Subsequent violations of university rules, regulations, or policies could result in more severe sanctions. The terms imply that violation of any provision in the Student Code of Conduct would be viewed not only as a violation of the regulation itself, but also as a violation of the probation and would most likely result in the suspension of the organization. During the probation period, the organization may be subject to one or any combination of the following conditions and/or restrictions:
- Denial of the right to represent the University.
 - Denial of the right to maintain an office or other assigned space on university property.
 - Denial of the privileges of:
 1. Receiving or retaining funding;
 2. Participating in intramurals;
 3. Sponsoring a social event;
 4. Sponsoring any speaker or guest on campus;
 5. Participating in a social event;
 6. Co-sponsoring any social event or other activity;
 7. Rush or membership recruitment;
 8. Eligibility for University awards or recognition;
 9. Representation on University and student committees, organizations, or boards.
 10. Conditions - Limitations on a student organization's privileges for a period or an active obligation to complete a specified activity or activities. This sanction may include the conditions or restrictions listed under the disciplinary probation sanction.
- D. **Disciplinary Reprimand** - Verbal warning or written notification to an organization that it has violated a university rule, regulation, or policy and that subsequent wrongful conduct by the organization will not be tolerated and may result in severe disciplinary sanctions.
- E. **Restitution/Fines** - Reimbursement for damage to, or misappropriation of property and/or compensation for injury to an individual, group, or the University. This may take the form of appropriate service or other compensation.
- F. **Loss of Student Privileges** - Limitations on a student's privileges for a period. Principals (officers, etc.) may be prohibited from holding office in any other organization, depending on the severity of the negative leadership displayed. Students from a suspended or revoked organization may also be prohibited from reforming a similar organization under another name.
- G. **Community Service** - Work assignments may be a part of disciplinary probation or may be imposed as an independent sanction. If the student organization does not complete the community service assignment by the assigned completion date, a charge of non-

compliance of a university decision will result. Such assignments will be in addition to the community service requirements as set forth by the student organization guidelines.

ANNUAL DISCLOSURE OF CRIME & FIRE STATISTICS

Annual Security & Fire Safety Report

All reported incidents that fall into one of the required reporting classifications will be included as a statistic in this publication, which is compiled and published by DPS on a calendar year basis pursuant to the requirements of the *Clery Act*. DPS works in cooperation with local law enforcement agencies and campus security authorities and includes statistical information from anonymous reports submitted to DPS. Additionally, statistical information from voluntary confidential reports is also requested and provided to DPS by Counseling Center and Pastoral Care staff, though they are not required by law to provide statistics for this compliance document. All crime statistics included in this publication are also submitted by DPS on an annual basis to the Department of Education.

Statistical information for certain non-campus buildings or property, as well as public property immediately adjacent to and accessible from campus are requested and/or collected from MPD.

By October 1 of each year, the campus community is made aware of the Annual Security & Fire Safety Report by email notification that offers a summary of the contents, as well as information on how to view the report via a direct link or obtain a hard copy of the report. This publication is [available online](#) to all current and prospective students and staff, or in person at the DPS office, Carlin Hall ground floor.

Reportable Crime Definitions

The following criminal offenses that the University is required to report under the *Clery Act* are defined using the FBI Uniform Crime Report (UCR), except for sex and hate crimes. Sex offenses and hate crimes are defined using the UCR-National Incident-Based Reporting System.

Criminal Homicide- The killing of one human being by another.

- *Murder and Non-Negligent Manslaughter* -- The willful (non-negligent) killing of one human being by another.
- *Negligent Manslaughter* -- Killing of another person through gross negligence.

Forcible Sex Offenses -- Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will in instances where the victim is incapable of giving consent.

- *Forcible Rape*: Carnal Knowledge of a person forcibly and/or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- *Forcible Sodomy*: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

- *Sexual Assault with an Object*: Use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- *Forcible Fondling*: Touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Non-Forcible Sex Offenses -- Unlawful, non-forcible sexual intercourse.

- *Incest*: Non-forcible sexual intercourse between people who are related to each other within the degree wherein marriage is prohibited by law.
- *Non-forcible Statutory Rape*: Non-forcible sexual intercourse with a person who is under the age of consent. Note: If force was used or threatened, this would be classified as "Forcible Rape" regardless of the age of the victim.

Robbery -- Taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault -- Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. Usually accompanied by the use (or threat of use) or a weapon or by means likely to produce death or great bodily harm.

Burglary -- Unlawful entry of a structure to commit a felony or a theft.

- *Burglary Unlawful Entry-No force*: Entry by use of an unlocked door or window, including open garages, open warehouses, open or unlocked dwellings, and open or unlocked common basement areas where entry is someone other than the lawful tenant.
- *Burglary Attempted Forcible Entry*: Forcible entry is attempted but not completed.

Motor Vehicle Theft -- The theft or attempted theft of a motor vehicle. Note: this includes all cases where motor vehicles are taken by people who are not having lawful access even though the vehicles are later abandoned including joyriding.

Arson -- Willful or malicious burning or attempt to burn with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Arrests and Referrals for Disciplinary Action -- The University is also required to report on the following categories of arrest or referrals for campus disciplinary action (if an arrest was not made): liquor law violations, drug law violations, and illegal weapons possession.

- *Liquor Law Violations*: The violation of laws prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public

conveyance; and all attempts to commit any of the aforementioned. Note: drunkenness and driving under the influence are not included in this definition.

- **Drug Abuse Violations:** Violations of state and local laws relating to unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Weapons:** *Carrying, Possessing, etc.;* The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealment or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

Hate Crimes -- Any crime classification listed above, and also incidents involving larceny, destruction, damage or vandalism of property, intimidation and simple assault that manifest evidence of a hate crime must also be reported by category of prejudice based on the following: race, gender, religion, sexual orientation, ethnicity or disability.

Reportable Geographic Areas

On-campus Building or Property -- Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's education purpose, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as food or retail vendor). Resident Halls are a subset of on-campus buildings.

Non-Campus Building or Property -- Any building or property owned or controlled by a student organization recognized by the institution and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonable contiguous geographic area of the institution.

Public Property -- All public property that is within the same reasonable contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

(Gallaudet University does not have any officially recognized student organizations that have housing facilities "off campus.")

Gallaudet University Crime and Fire Safety Statistics

GEOGRAPHIC LOCATION					
Crimes	Year	Campus Property	Non-Campus Property	On Campus Housing	Total On Campus
Aggravated Assault	2025	2	0	4	6
	2024	1	0	2	3
	2023	4	0	3	7
Burglary (I & II)	2025	24	0	6	30
	2024	11	0	5	16
	2023	2	0	4	6
Murder/Non-Negligent Manslaughter	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Manslaughter by Negligence	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Motor Vehicle Theft	2025	3	0	1	4
	2024	10	0	0	10
	2023	4	0	0	4
Robbery	2025	1	0	2	3
	2024	0	0	2	2
	2023	1	1	0	2
Arson	2025	0	0	3	3
	2024	0	0	4	4
	2023	2	0	10	12
Drug Law Arrests	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Liquor Law Arrests	2025	0	0	0	0
	2024	2	0	0	2
	2023	0	0	0	0
Weapons Law Arrests	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Rape	2025	4	0	8	12
	2024	2	0	8	10
	2023	4	0	8	12
Fondling	2025	4	0	10	14
	2024	3	0	3	6
	2023	2	0	2	4
Incest	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Statutory Rape	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0

GEOGRAPHIC LOCATION					
Crimes	Year	Campus Property	Non-Campus Property	On Campus Housing	Total On Campus
Drug Law Violations/Referral	2025	9	0	133	141
	2024	14	0	108	122
	2023	29	0	93	122
Liquor Law Violation/Referral	2025	17	0	359	376
	2024	11	0	227	238
	2023	17	0	274	291
Weapons Law Violations/Referral	2025	0	0	1	1
	2024	0	0	1	1
	2023	0	0	2	2
Domestic Violence	2025	4	0	12	16
	2024	2	0	16	18
	2023	2	0	8	10
Dating Violence	2025	2	0	14	16
	2024	12	0	11	23
	2023	12	0	20	32
Stalking	2025	17	0	17	34
	2024	26	0	16	42
	2023	24	0	19	43
Hate Crimes	2025	3*	0	6*	9
	2024	6	0	1	7
	2023	1	0	2	3
Unfounded		2025			4
		2024			3
		2023			2
Hazing		2025			1

Hate Breakdown

2025*

1 Gender identity; intimidation; on campus
 1 Ethnicity; theft; residential
 1 Ethnicity; simple assault; residential
 1 Sexual orientation; intimidation; on campus

1 Ethnicity; theft; on campus
 2 Ethnicity; intimidation; on campus
 1 Disability; simple assault, residential
 1 Disability; simple assault, residential

2024

6-Bias towards ethnicity by intimidation
 1-Bias towards gender identity, by intimidation

2023

1-Bias towards disability by intimidation
 1-Bias towards religion by intimidation

Unfounded

Sworn commissioned law enforcement personnel have fully investigated the reported crime and based on the results of this full investigation and evidence have made a formal determination that the crime reported is false or baseless and therefore “unfounded.”

Fire Information and Statistics in Residential Facilities

UNIVERSITY RESIDENTIAL FIRE SAFETY OVERVIEW FOR 2026						
Residential Dorms	North	West	Benson	Carlin	Clerc	LLRH6
Fire Extinguishers	Yes	Yes	Yes	Yes	Yes	Yes
Smoke Detectors	Yes	Yes	Yes	Yes	Yes	Yes
Manual Pull Stations	Yes	Yes	Yes	Yes	Yes	Yes
Fire Sprinklers	Limited	Limited	Yes	Yes	Limited	Yes
Fire Alarm Systems	Yes	Yes	Yes	Yes	Yes	Yes

UNIVERSITY RESIDENTIAL FIRE SAFETY REPORT FOR 2026						
Residential Dorms	North	West	Benson	Carlin	Clerc	LLRH6
Number of Fires	0	0	0	1	0	0
Number of Fire Related Injuries	0	0	0	0	0	0
Number of Fire Related Deaths	0	0	0	0	0	0
Value of Fire Related Damage	\$0	\$0	\$0	\$<99	\$0	\$0
Cause of Fire	N/A	N/A	N/A	Cooking	N/A	N/A

Fire Information and Statistics in Residential Facilities

CLERC CENTER RESIDENTIAL FIRE SAFETY OVERVIEW 2026			CLERC CENTER RESIDENTIAL FIRE SAFETY REPORT 2026		
Residential Dorms	KDES Apts	MSSD Dorm	Residential Dorms	KDES Apts	MSSD Dorm
Fire Extinguishers	Yes	Yes	Number of Fires	0	0
Smoke Detectors	Yes	Yes	Number of Fire Related Injuries	0	0
Manual Pull Stations	Yes	Yes	Number of Fire Related Deaths	0	0
Fire Sprinklers	No	Yes	Value of Fire Related Damage	\$0	\$0
Fire Alarm Systems	Yes	Yes	Cause of Fire	N/A	N/A

Crime Statistics-Adjacent Public Property

Crimes	Year	WVA	FL Ave	6th St.	Brentwood	Corcoran	Mt.Olivet	Total
Aggravated Assault	2025	0	0	0	0	0	2	2
	2024	3	0	0	0	0	0	3
	2023	1	0	0	2	0	0	3
Burglary (I & II)	2025	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Murder	2025	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Motor Vehicle Theft	2025	0	0	1	0	0	0	1
	2024	2	1	2	0	0	0	5
	2023	1	2	3	0	2	1	9
Robbery	2025	1	2	0	0	0	0	3
	2024	1	0	1	0	0	0	2
	2023	2	2	1	1	0	0	6
Arson	2025	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Rape	2025	0	0	0	0	0	0	0
	2024	1	0	0	0	0	1	2
	2023	0	0	0	0	0	0	0
Fondling	2025	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Incest	2025	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Statutory Rape	2025	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Drug Law Arrests	2025	0	0	0	0	0	0	0
	2024	1	0	0	0	0	0	1
	2023	0	0	0	0	0	1	1
Liquor Law Arrests	2025	2	1	0	0	0	3	6
	2024	0	0	0	0	0	0	0
	2023	0	1	0	0	0	0	1
Weapons Arrests	2025	1	1	0	0	0	0	2
	2024	4	0	1	0	0	0	5
	2023	0	3	0	0	0	0	3
Hate Crimes	2025	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0

Domestic Violence	2025	0	0	0	1	0	0	1
	2024	0	0	0	0	0	0	0
	2023	1	0	0	0	0	2	3
Dating Violence	2025	1	1	1	0	0	0	3
	2024	2	1	0	0	0	1	4
	2023	0	0	0	0	0	0	0
Stalking	2025	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Hazing	2025	0	0	0	0	0	0	0

These are crimes reported around Gallaudet University campus.

2025

Crimes that occur up to- and including the adjacent public property are included in perimeter crime statistics. Between 01/01-05/31 there were 33 stolen autos from the 6th street Union Market area bordering Gallaudet Campus and 55 vehicles have been broken into with reported thefts from inside vehicles. However, in the interests of transparency while analyzing data provided by MPD it was learned there were crimes reported just outside the required reportable adjacent property where our community frequents:

- *1 stolen auto at on M Street/ Fl Ave. intersection
- *Gas station 6th/Fl ave

The Metropolitan Police Department previously operated a proactive unit dedicated to intercepting crimes in progress and offenses against society. Following the dissolution of this unit, statistical data gives the false impression that perimeter crime rates have declined; in reality, these offenses simply remain undetected and unreported.

2024

Only crimes that occur up to and including the adjacent public property are included in the perimeter crime statistics. In the interests of transparency while analyzing data it was learned there were 3-addition stolen autos just outside the required reportable perimeter geography.

- 1-stolen auto from gas station at 6th Street & Florida Avenue NE
- 1-stolen auto 8th Street at Florida Avenue NE across from main campus entrance.
- 1-stolen auto just off Corcoran Street on Capitol Avenue NE

2023

MPD did not differentiate between dating or domestic violence in providing crime statistics for 2023.

In the interests of transparency only crimes that occur up to- and including the adjacent public property are included in perimeter crime statistics. While analyzing data it was learned six (6) additional stolen autos just outside the required reportable perimeter geography.

- 3-stolen autos intersection of Florida Avenue & 6th Street NE
- 1-stolen auto M Street close to Florida Avenue NE
- 2-stolen autos Capitol Avenue close to intersection with Corcoran Street NE